State of Ohio Environmental Protection Agency

RE: FINAL PERMIT TO INSTALL **CERTIFIED MAIL**
HAMILTON COUNTY

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: 14-05853
Fac ID: 1431353766
DATE: 6/29/2006

E-Town Gravel
Patrick Montgomery
4770 Duke Drive, Ste. 200
Mason, OH 45040

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**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install	**Issue Date: 6/29/2006**
Terms and Conditions	**Effective Date: 6/29/2006**

FINAL PERMIT TO INSTALL 14-05853

Application Number:	14-05853
Facility ID:	1431353766
Permit Fee:	**$900**
Name of Facility:	E-Town Gravel
Person to Contact:	Patrick Montgomery
Address:	4770 Duke Drive, Ste. 200 Mason, OH 45040

Location of proposed air contaminant source(s) [emissions unit(s)]:
10905 State Route 50
Whitewater Twp, **Ohio**

Description of proposed emissions unit(s):
Aggregate processing.

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon

the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

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

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

10. Public Disclosure

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

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. Best Available Technology

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

13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons Per Year
PE	11.76
PM10	4.08

Emissions Unit ID: **F003**

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Operations, Property, and/or Equipment - (F003) - aggregate processing

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	Particulate emissions (PE) shall not exceed 5.9 pounds/hour and 11.76 tons/year. Particulate matter emissions 10 microns and less in diameter (PM10) shall not exceed 2.0 pounds/hour and 4.08 tons/year. See term B.1 through B.3. The requirements of this rule also include compliance with the requirements of 40 CFR Part 60, Subpart OOO.
40 CFR Part 60, Subpart OOO	See terms A.2.b through A.2.e
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)	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 Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of wet-mined material and water sprays, and compliance with the opacity limitations, emissions limitations and an annual production limitation.

2.b Fugitive particulate emissions from any transfer point on belt conveyors and from any other emissions point (excluding crushers and truck dumping) where process materials are not saturated, shall not exceed 10 percent opacity, except

as provided by rule 40 CFR 60.672.

2.c Fugitive particulate emissions from any crusher shall not exceed 15 percent opacity.

2.d Fugitive particulate emissions from wet screening operations and subsequent screening operations, bucket elevators, and belt conveyors that process saturated material in the production line up to the next crusher, grinding mill or storage bin shall not exceed 0 percent opacity.

2.e Fugitive particulate emissions from screening operations, bucket elevators, and belt conveyors in the production line downstream of wet mining operations, where such screening operations, bucket elevators, and belt conveyors process saturated materials up to the first crusher, grinding mill, or storage bin in the production line shall not exceed 0 percent opacity.

2.f The hourly emission limitations outlined in term and condition A.1 are based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with these limits.

2.g The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.

B. Operational Restrictions

1. The maximum annual sand and gravel production rate for emissions unit F003 shall not exceed 2,000,000 tons per year.

2. Water sprays shall be operated at points necessary to ensure compliance with the visible emission limitations specified in section A.2.b, A.2.c, A.2.d and A.2.e. for crushing, transfer points, screening, and conveying operations.

3. Aggregate product loaded onto trucks shall have a moisture content sufficient to minimize visible emissions of fugitive dust and the loading drop height shall not exceed fifteen (15) feet.

C. Monitoring and/or Recordkeeping Requirements

Emissions Unit ID: **F003**

1. The permittee shall maintain monthly records of the amount of sand and gravel produced in this emissions unit.

D. Reporting Requirements

1 The permittee shall submit annual reports to Hamilton County Department of Environmental Services that identify any exceedances of the annual sand and gravel production limitation as well as the corrective actions that were taken to achieve compliance. If no exceedances occurred, then the permittee shall state so in the report. These reports shall be submitted by January 31 of each year.

2. The permittee shall submit annual reports to the Hamilton County Department of Environmental Services which specify the total PE and PM10 emissions from this emissions unit for the previous calendar year. These reports shall be submitted by January 31 of each year.

3. A screening operation, bucket elevator, or belt conveyor that processes saturated material and is subject to 40 CFR 60.672(h) and subsequently processes unsaturated material shall submit a report of this change within 30 days following such change to the Hamilton County Department of Environmental Services. This screening operation, bucket elevator, or belt conveyor is then subject to the 10 percent opacity limit in 40 CFR 60.672(b) and the emission test requirements of 40 CFR 60.11 and 60.675. A screening operation, bucket elevator, or belt conveyor that processes unsaturated material but subsequently processes saturated material shall submit a report of this change within 30 days following such change. This screening operation, bucket elevator, or belt conveyor is then subject to the no visible emission limit in 40 CFR 60.672(h).

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

   a. Construction date (no later than 30 days after such date),

   b. Actual start-up date (within 15 days after such date), and

   c. Date of performance testing (if required, at least 30 days prior to testing).

   Reports are to be sent to:

   Ohio Environmental Protection Agency

DAPC - Permit Management Unit
P.O. Box 1049
Columbus, OH 43216-1049

and

Hamilton County Department of Environmental Services
250 Wm. Howard Taft Road
Cincinnati, OH 45219

5. The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards in 40 CFR 60.672 of Subpart OOO, including reports of observations using Method 9 to demonstrate compliance with term and condition A.2.b, A.2.c, A.2.d and A.2.e of this permit.

   A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Hamilton County Department of Environmental Services within 30 days following completion of the test(s).

E. Testing Requirements

1. Compliance with the emission limitation(s) in term and condition A.1 of these terms and conditions shall be determined in accordance with the following method(s):

   a. Emissions Limitations:

      11.76 tons PE/yr; 4.08 tons PM10/yr

      Applicable Compliance Method:

      Emissions shall be calculated, and compliance determined by, using the following equations:

      tons PE/yr = [(A) * (G) * 0.0005] + [(B) * (G) * 0.0005)] + [(C) * (G) * 0.0005]
      tons PM10/yr = [(D) * (G) * 0.0005] + [(E) * (G) * 0.0005)] + [(F) * (G) * 0.0005]

      where,

      A = PM emission factor for controlled conveyor transfer point, pounds per ton

of material throughput, from AP-42, Section 11.9.2, (August, 2004).

B = PM emission factor for controlled screening, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

C = PM emission factor for controlled tertiary crushing, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

D = PM10 emission factor for controlled conveyor transfer point, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

E = PM10 emission factor for controlled screening, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

F = PM10 emission factor for controlled tertiary crushing, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

G = Annual throughput, tons, for each conveyor transfer point, screening, or crushing operation, respectively.

b. Emissions Limitations:

5.9 lbs PE/hr; 2.0 lbs PM10/hr

Applicable Compliance Method:

Emissions shall be calculated, and compliance determined by, using the following equations:

lbs PE/hr = [(A) * (G)] + [(B) * (G)] + [(C) * (G)]
lbs PM10/hr = [(D) * (G)] + [(E) * (G)] + [(F) * (G)]

where,

A = PM emission factor for controlled conveyor transfer point, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

B = PM emission factor for controlled screening, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

C = PM emission factor for controlled crushing, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

D = PM10 emission factor for controlled conveyor transfer point, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

E = PM10 emission factor for controlled screening, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

F = PM10 emission factor for controlled crushing, pounds per ton of material throughput, from AP-42, Section 11.9.2, (August, 2004).

G = Maximum hourly throughput, tons, for each conveyor transfer point, screening, or crushing operation, respectively.

2. The permittee shall conduct, or have conducted, fugitive emission testing for this emissions unit (one new crusher and one new conveyor transfer point) in accordance with the following requirements:

   a. The emission testing shall be conducted within 60 days after achieving maximum production but no later than 180 days after start-up.

   b. The emission testing shall be conducted to demonstrate compliance with 40 CFR 60, Subpart OOO.

   c. Compliance with the opacity limits of this permit shall be determined by using US EPA Reference Test Method 9. The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).

   d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Hamilton County Department of Environmental Services.

   Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Hamilton County Department of Environmental Services.

   The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Hamilton County Department's of Environmental Services refusal to accept the results of the emission test(s).

   Personnel from the Hamilton County Department of Environmental Services shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

   A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the test(s) and submitted to the Hamilton County Department of Environmental Services within 30 days following completion of

the test(s).

3. Compliance with the production limitation in term and condition B.1 shall be determined by the recordkeeping specified in term and condition C.1.

F. Miscellaneous Requirements

1. The terms and conditions listed in this permit to install shall supersede all the air pollution control requirements for emissions unit F003 contained in permit to install 14-05523 as issued on March 18, 2004.

2. This permit to install references Martin Marietta Materials Inc. drawing number AN-04PFD-002 (rev. 05/11/06) submitted with permit to install application 14-05853 received on June 6, 2006.