Ohio Environmental Protection Agency

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

11/13/2015

Certified Mail

Shawn Pompelia
Priority Excavation Services, LLC
8517 Kimblewick Lane NE
Warren, OH 44484

Facility ID: 0278062007
Permit Number: P0119803
County: Trumbull

RE: DRAFT AIR POLLUTION TITLE V PERMIT
Permit Type: Initial

Dear Permit Holder:

A draft of the OAC Chapter 3745-77 Title V permit for the referenced facility has been issued. The purpose of this draft is to solicit public comments. A public notice will appear in the Ohio Environmental Protection Agency (EPA) Weekly Review and the local newspaper, Warren Tribune Chronicle. A copy of the public notice, the Statement of Basis, and the draft permit are enclosed. This permit can be accessed electronically on the Division of Air Pollution Control (DAPC) Web page,www.epa.ohio.gov/dapc by clicking the "Search for Permits" link under the Permitting topic on the Programs tab. Comments will be accepted as a marked-up copy of the draft permit or in narrative format. Any comments must be sent to the following:

Andrew Hall
Permit Review/Development Section
Ohio EPA, DAPC
50 West Town Street, Suite 700
P.O. Box 1049
Columbus, Ohio 43216-1049

and

Ohio EPA DAPC, Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087

Comments and/or a request for a public hearing will be accepted within 30 days of the date the notice is published in the newspaper. You will be notified if a public hearing is scheduled. A decision on processing the Title V permit will be made after consideration of comments received and oral testimony if a public hearing is conducted. You will then be provided with a Preliminary Proposed Title V permit and another opportunity to comment prior to the 45-day Proposed Title V permit submittal to U.S. EPA Region 5. The permit will be issued final after U.S. EPA review is completed and no objections to the final issuance have been received. If you have any questions, please contact Ohio EPA DAPC, Northeast District Office at (330)963-1200.

Sincerely,

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

Cc: U.S. EPA Region 5 - *Via E-Mail Notification*
Ohio EPA-NEDO; Pennsylvania; West Virginia

PUBLIC NOTICE

The following matters are the subject of this public notice by the Ohio Environmental Protection Agency. The complete public notice, including any additional instructions for submitting comments, requesting information, a public hearing, or filing an appeal may be obtained at:http://epa.ohio.gov/actions.aspx or Hearing Clerk, Ohio EPA, 50 W. Town St., Columbus, Ohio 43215. Ph: 614-644-2129 email:HClerk@epa.ohio.gov

Draft Title V Permit Initial
Priority Excavation Services, LLC
1001 Austintown Warren Rd., , Niles, OH 44446
ID#: P0119803
Date of Action: 11/13/2015
PermitDesc: Initial Title V permit for an air curtain incinerator..
The permit and complete instructions for requesting information or submitting comments may be obtained at: http://epa.ohio.gov/dapc/permitsonline.aspx by entering the ID # or: Kevin Fortune, Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 44087. Ph: (330)963-1200

Statement of Basis For Air Pollution Title V Permit

Facility ID:	0278062007
Facility Name:	Priority Excavation Services, LLC
Facility Description:	Portable air burner for destruction of wood waste, clean lumber and yard waste
Facility Address:	1001 Austintown Warren Rd., Niles, OH 44446
Permit #:	P0119803, Initial

This facility is subject to Title V because it is major for:

☐ Lead ☐ Sulfur Dioxide ☒ Carbon Monoxide ☐ Volatile Organic Compounds ☐ Nitrogen Oxides
☐ Particulate Matter < 10 microns ☐ Single Hazardous Air Pollutant ☐ Combined Hazardous Air Pollutants
☐ Maximum Available Control Technology Standard(s) ☐ GHG ☐ Title IV

A. Standard Terms and Conditions

Has each insignificant emissions unit been reviewed to confirm it meets the definition in OAC rule 3745-77-01(U)?	Y
Were there any "common control" issues associated with this facility? If yes, provide a summary of those issues and explain how the DAPC decided to resolve them.	N
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a minor permit modification per OAC rule 3745-77-08(C)(1)	N/A
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a significant permit modification per OAC rule 3745-77-08(C)(3)	N/A

Please identify the affected unit(s)and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a reopening per OAC rule 3745-77-08(D)	N/A
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document resulting from a renewal per OAC rule 3745-77-08(E)	N/A
Please identify the affected unit(s) and pollutant(s) for which a Compliance Assurance Monitoring (CAM) Plan is required per 40 CFR 64. Provide more emissions unit specific detail in Section C.	N/A

B. Facility-Wide Terms and Conditions

Term and Condition (paragraph)	Basis		Comments
	SIP (3745-)	Other	
B.1.			Lists Facility wide terms and conditions that are enforceable under state law only.
B.2.		40 CFR Part 60, Subpart EEEE	Lists the emissions unit subject to this subpart.
B.3.	15-05 & 31-03(A)(1) or (4)		Air contaminant sources that qualify as de minimis under OAC rule 3745-15-05, or are exempt under OAC rule 3745-31-03(A)(1) or (4) are not subject to emission standards established within this permit. Although this permit does not apply to de minimis or exempt sources, emissions from de minimis or exempt sources must be included in the total potential to emit (PTE) calculations for this permit.
B.4.			Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

C. Emissions Unit Terms and Conditions

Key:
EU = emissions unit ID
ND = negative declaration (i.e., term that indicates that a particular rule(s) is (are) not applicable to a specific emissions unit)
OR = operational restriction
M = monitoring requirements
ENF = did noncompliance issues drive the monitoring requirements?
R = record keeping requirements
Rp = reporting requirements
ET = emission testing requirements (not including compliance method terms)
St = streamlining term used to replace a PTI monitoring, record keeping, or reporting requirement with an equivalent or more stringent requirement
Misc = miscellaneous requirements

EU(s)	Limitation	Basis		ND	OR	M	ENF	R	Rp	ET	St	Misc	Comments
		SIP (3745-)	Other										
N001	See comments.		ORC 3704.03(T)	N	N	N	N	N	N	N	N	N	CO shall not exceed 13.99 ton/month per rolling, 12-month period. PE and PM10 emissions shall not exceed 1.18 tons/month per rolling, 12-month period.
N001	See comments.	31-05(A)(3)		N	N	N	N	N	N	N	N	N	SO2 emissions shall not exceed 1.86 lbs/hr and 1.98 tpy. NOxemissions shall not exceed 0.6 lb/hr and 0.64 tpy. VOCemissions shall not exceed 6.36 lbs/hr and 6.77 tpy.
N001	See comments.	31-05(A)(3)(a)(ii)		N	N	N	N	N	N	N	N	N	The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the SO2, NOx and VOC emissions since the potential to emit is less than 10 tons/year.
N001	See comments.	31-05(D)(1)(a) & (F)		N	Y	Y	N	Y	Y	N	N	Y	The maximum daily wood waste, clean lumber and yard waste to be burned in this emissions unit shall not exceed 35 tons per day.
N001	See comments.	17-07(B) & 17-08(B)		N	N	N	N	N	N	N	N	N	The emission limitations required by these applicable rules are less stringent than the emission limitation established pursuant to 40 CFR Part 60, Subpart EEEE.
N001	Open Burning Standards	19		N	N	N	N	N	N	N	N	N	The siting of the air curtain incinerator shall be at a point on the premises no less than one thousand feet from any inhabited building not located on said premises. No materials may be charged to the burner less than thirty minutes after sunrise and shall be completed not less than sixty minutes prior to sunset. A log shall be maintained on site, and

													available upon request, that documents daily beginning and ending times of charging. The air curtain burner shall be attended at all times while burning is occurring and until flames are no longer visible. The air curtain shall be maintained until all material within the air curtain burner has been reduced to coals, and flames are no longer visible. At no time shall material be loaded into the air curtain burner such that the material extends into and above the air curtain, except for brief moments during loading.
N001			40 CFR Part 60, Subpart EEEE	N	Y	Y	N	Y	Y	Y	N	Y	visible PE from the air curtain incinerator shall not exceed 10% opacity, as a 6-minute average. visible PE from the air curtain incinerator shall not exceed 35% opacity, as a 6-minute average, during the startup period that is within the first 30 minutes of operation. In accordance with 40 CFR 60.2970(b), the air curtain incinerator shall burn only 100 percent wood waste, 100 percent clean lumber, 100 percent yard waste and 100 percent mixture of only wood waste, clean lumber and/or yard waste.
N001			40 CFR Part 63, Subpart ZZZZ & 40 CFR Part 60, Subpart IIII	N	N	N	N	N	N	N	N	N	The requirements of 40 CFR Part 63, Subpart ZZZZ (the National Emission Standards for Hazardous Air Pollutants for Stationary RICE) and 40 CFR Part 60, Subpart IIII (Standards of Performance for Stationary Compression Ignition ICE) do not apply to this emissions unit as long as it meets the definition of a nonroad engine as defined by 40 CFR 1068.30. However, if this emissions unit remains at a location for more than 12 consecutive months, it will no longer meet the definition of a nonroad engine as defined in 40 CFR 1068.30 and instead will meet the definition of a stationary internal combustion engine as defined by 40 CFR Part 60, Subpart IIII, 60.4219. As such, if at any time this emissions unit remains at a location for more than 12 consecutive months, the requirements of the above stated rules shall apply.

DRAFT

Division of Air Pollution Control
Title V Permit
for
Priority Excavation Services, LLC

Facility ID:	0278062007
Permit Number:	P0119803
Permit Type:	Initial
Issued:	11/13/2015
Effective:	To be entered upon final issuance
Expiration:	To be entered upon final issuance

Ohio Environmental Protection Agency

Division of Air Pollution Control
Title V Permit
for
Priority Excavation Services, LLC

Table of Contents

Authorization 1

A. Standard Terms and Conditions 2

1. Federally Enforceable Standard Terms and Conditions 3
2. Monitoring and Related Record Keeping and Reporting Requirements 3
3. Reporting of Any Exceedence of a Federally Enforceable Emission Limitation or Control Requirement Resulting From Scheduled Maintenance 6
4. Risk Management Plans 7
5. Title IV Provisions 7
6. Severability Clause 7
7. General Requirements 7
8. Fees 8
9. Marketable Permit Programs 8
10. Reasonably Anticipated Operating Scenarios 9
11. Reopening for Cause 9
12. Federal and State Enforceability 9
13. Compliance Requirements 9
14. Permit Shield 11
15. Operational Flexibility 11
16. Emergencies 12
17. Off-Permit Changes 12
18. Compliance Method Requirements 12
19. Insignificant Activities or Emissions Levels 13
20. Permit to Install Requirement 13
21. Air Pollution Nuisance 13
22. Permanent Shutdown of an Emissions Unit 13
23. Title VI Provisions 13
24. Reporting Requirements Related to Monitoring and Record Keeping Requirements Under State Law Only 14
25. Records Retention Requirements Under State Law Only 14
26. Inspections and Information Requests 14
27. Scheduled Maintenance/Malfunction Reporting For State-Only Requirements 15
28. Permit Transfers 15

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 15
30. Submitting Documents Required by this Permit 16
B. Facility-Wide Terms and Conditions 17
C. Emissions Unit Terms and Conditions 19
1. N001, Air Burner model S-220 20

Authorization

Facility ID:	0278062007
Facility Description:	Portable air burner for destruction of wood waste, clean lumber and yard waste
Application Number(s):	A0054227
Permit Number:	P0119803
Permit Description:	Initial Title V permit for an air curtain incinerator.
Permit Type:	Initial
Issue Date:	11/13/2015
Effective Date:	To be entered upon final issuance
Expiration Date:	To be entered upon final issuance
Superseded Permit Number:	

This document constitutes issuance of an OAC Chapter 3745-77 Title V permit to:

Priority Excavation Services, LLC
1001 Austintown Warren Rd.
Niles, OH 44446

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

Ohio EPA DAPC, Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087
(330)963-1200

The above named entity is hereby granted a Title V permit pursuant to Chapter 3745-77 of the Ohio Administrative Code. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. You will be sent a notice approximately 18 months prior to the expiration date regarding the renewal of this permit. If you do not receive a notice, please contact the Ohio EPA DAPC, Northeast District Office. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-08(E) and in accordance with the terms of this permit beyond the expiration date, if a timely renewal application is submitted. A renewal application will be considered timely if it is submitted no earlier than 18 months and no later than 6 months prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Craig W. Butler
Director

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A. 24., Reporting Requirements Related to Monitoring and Record Keeping Requirements of State-Only Enforceable Permit Terms and Conditions

(2) Standard Term and Condition A. 25., Records Retention Requirements for State-Only Enforceable Permit Terms and Conditions

(3) Standard Term and Condition A. 27., Scheduled Maintenance/Malfunction Reporting For State-Only Requirements

(4) Standard Term and Condition A. 29., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

(5) Standard Term and Condition A. 30.

(Authority for term: ORC 3704.036(A))

2. Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit), the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.

(Authority for term: OAC rule 3745-77-07(A)(3)(b)(i))

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 all calibration and maintenance records and all original strip-chart recordingsfor continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

(Authority for term: OAC rule 3745-77-07(A)(3)(b)(ii))

c) The permittee shall submit required reports in the following manner:

(1) All reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations caused by malfunctions shall be submitted in the following manner:

Any malfunction, as defined in OAC rule 3745-15-06(B)(1), shall be promptly reported to the Ohio EPA in accordance with OAC rule 3745-15-06. In addition, to fulfill the OAC rule 3745-77-07(A)(3)(c) deviation reporting requirements for malfunctions, written reports that identify each malfunction that occurred during each calendar quarter (including each malfunction reported only verbally in accordance with OAC rule 3745-15-06) shall be submitted by January 31, April 30, July 31, and October 31 of each year in accordance with Standard Term and Condition A.2.c)(2) below; and each report shall cover the previous calendar quarter. An exceedance of the visible emission limitations specified in OAC rule 3745-17-07(A)(1) that is caused by a malfunction is not a violation and does not need to be reported as a deviation if the owner or operator of the affected air contaminant source or air pollution control equipment complies with the requirements of OAC rule 3745-17-07(A)(3)(c).

In accordance with OAC rule 3745-15-06, a malfunction reportable under OAC rule 3745-15-06(B) is a deviation of the federally enforceable permit requirements. Even though verbal notifications and written reports are required for malfunctions pursuant to OAC rule 3745-15-06, the written reports required pursuant to this term must be submitted quarterly to satisfy the prompt reporting provision of OAC rule 3745-77-07(A)(3)(c).

In identifying each deviation caused by a malfunction, the permittee shall specify the emission limitation(s) (or control requirement(s)) for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. For a specific malfunction, if this information has been provided in a written report that was submitted in accordance with OAC rule 3745-15-06, the permittee may simply reference that written report to identify the deviation. Nevertheless, all malfunctions, including those reported only verbally in accordance with OAC rule 3745-15-06, must be reported in writing on a quarterly basis.

Any submittedscheduled maintenancerequests, as referenced in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described above for malfunctions.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(2) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit or, in some cases, in section B. Facility-Wide Terms and Conditions of this Title V permit), all reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations of the emission limitations, operational restrictions, and control device operating parameter limitations shall be submitted in the following manner:

Written reports of (a) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, (b) the

probable cause of such deviations, and (c) any corrective actions or preventive measures taken, shall be submitted promptly to the Ohio EPA DAPC, Northeast District Office. Except as provided below, the written reports shall be submitted by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

In identifying each deviation, the permittee shall specify the emission limitation(s), operational restriction(s), and/or control device operating parameter limitation(s) for which the deviation occurred, describe each deviation, and provide the estimated magnitude and duration of each deviation.

These written deviation reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations. Full compliance with OAC rule 3745-77-07(A)(3)(c) requires reporting of all other deviations of the federally enforceable requirements specified in the permit as required by such rule.

If an emissions unit has a deviation reporting requirement for a specific emission limitation, operational restriction, or control device operating parameter limitation that is not on a quarterly basis (e.g., within 30 days following the end of the calendar month, or within 30 or 45 days after the exceedance occurs), that deviation reporting requirement satisfies the reporting requirements specified in this Standard Term and Condition for that specific emission limitation, operational restriction, or control device parameter limitation. Following the provisions of that non-quarterly deviation reporting requirement will also satisfy (for the deviations so reported) the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations, and additional quarterly deviation reports for that specific emission limitation, operational restriction, or control device parameter limitation are not required pursuant to this Standard Term and Condition.

See A.29 below if no deviations occurred during the quarter.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(3) All reporting required in accordance with the OAC rule 3745-77-07(A)(3)(c) for other deviations of the federally enforceable permit requirements which are not reported in accordance with Standard Term and Condition A.2)c)(2) above shall be submitted in the following manner:

Unless otherwise specified by rule, written reports that identify deviations of the following federally enforceable requirements contained in this permit; Standard Terms and Conditions: A.3, A.4, A.5, A.7.e), A.8, A.13, A.15, A.19, A.20, A.21, and A.23 of this Title V permit, as well as any deviations from the requirements in section C. Emissions Unit Terms and Conditions of this Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted to the Ohio EPA DAPC, Northeast District Office by January 31 and July 31 of each year; and each report shall cover the previous six calendar months. Unless otherwise specified by rule, all other deviations from federally enforceable requirements identified in this permit shall be submitted annually as part of the annual compliance certification, including deviations of federally

enforceable requirements not specifically addressed by permit or rule for the insignificant activities or emissions levels (IEU) identified in section B. Facility-Wide Terms and Conditions of this Title V permit. Annual reporting of deviations is deemed adequate to meet the deviation reporting requirements for IEUs unless otherwise specified by permit or rule.

In identifying each deviation, the permittee shall specify the federally enforceable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation.

These semi-annual and annual written reports shall satisfy the reporting requirements of OAC rule 3745-77-07(A)(3)(c) for any deviations from the federally enforceable requirements contained in this permit that are not reported in accordance with Standard Term and Condition A.2.c)(2) above.

If no such deviations occurred during a six-month period, the permittee shall submit a semi-annual report which states that no such deviations occurred during that period.

(Authority for term: OAC rules 3745-77-07(A)(3)(c)(i) and (ii) and OAC rule 3745-77-07(A)(13)(b))

(4) 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 (including any written malfunction reports required by OAC rule 3745-15-06 that are referenced in the deviation reports) are true, accurate, and complete." Signature by the Responsible Official may be represented by entry of the personal identification number (PIN) by the Responsible Official as part of the electronic submission process or by the scanned attestation document signed by the Responsible Official that is attached to the electronically submitted written report.

(Authority for term: OAC rule 3745-77-07(A)(3)(c)(iv))

(5) Consistent with A.2.c.1. above, reports of any required monitoring and/or record keeping information required to be submitted to Ohio EPA shall be submitted to Ohio EPA DAPC, Northeast District Office unless otherwise specified.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

3. Reporting of Any Exceedence of a Federally Enforceable Emission Limitation or Control Requirement Resulting From Scheduled Maintenance

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. Except as provided in OAC rule 3745-15-06(A)(3), any scheduled maintenance 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). Any scheduled maintenance, as defined in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described for malfunctions in Standard Term and Condition A.2.c)(1) above.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

4. Risk Management Plans

If applicable, the permittee shall 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"); and, pursuant to 40 C.F.R. 68.215(a), the permittee shall submit either of the following:

a) a compliance plan for meeting the requirements of 40 C.F.R. Part 68 by the date specified in 40 C.F.R. 68.10(a) and OAC 3745-104-05(A); or

b) as part of the compliance certification submitted under 40 C.F.R. 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 C.F.R. Part 68 and OAC Chapter 3745-104, including the registration and submission of the risk management plan.

(Authority for term: OAC rule 3745-77-07(A)(4))

5. 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.

(Authority for term: OAC rule 3745-77-07(A)(5))

6. 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.

(Authority for term: OAC rule 3745-77-07(A)(6))

7. General Requirements

a) Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and 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 permitexcept as provided pursuant to A.16 below.

c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with A.11 below. 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.

f) Except as otherwise indicated below, this Title V permit, or permit modification, is effective for five years from the original effective date specified in the permit. In the event that this facility becomes eligible for non-title V permits, this permit shall cease to be enforceable when:

(1) the permittee submits an approved facility-wide potential to emit analysis supporting a claim that the facility no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on the permanent shutdown and removal of one or more emissions units identified in this permit; or

(2) the permittee no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on obtaining restrictions on the facility-wide potential(s) to emit that are federally enforceable or legally and practically enforceable ; or

(3) a combination of (1) and (2) above.

The permittee shall continue to comply with all applicable OAC Chapter 3745-31 requirements for all regulated air contaminant sources once this permit ceases to be enforceable. The permittee shall comply with any residual requirements, such as quarterly deviation reports, semi-annual deviation reports, and annual compliance certifications covering the period during which this Title V permit was enforceable. All records relating to this permit must be maintained in accordance with law.

(Authority for term: OAC rule 3745-77-01(W), OAC rule 3745-77-07(A)(3)(b)(ii), OAC rule 3745-77(A)(7))

8. 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.

(Authority for term: OAC rule 3745-77-07(A)(8))

9. Marketable Permit Programs

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.

(Authority for term: OAC rule 3745-77-07(A)(9))

10. Reasonably Anticipated Operating Scenarios

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these standard terms and conditions shall apply to all operating scenarios authorized in this permit.

(Authority for term: OAC rule 3745-77-07(A)(10))

11. Reopening for Cause

This Title V permit will be reopened prior to its expiration date under the following conditions:

a) Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.

b) This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit, and shall not require a reopening of this permit.

c) The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.

d) The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

(Authority for term: OAC rules 3745-77-07(A)(12) and 3745-77-08(D))

12. 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.

(Authority for term: OAC rule 3745-77-07(B))

13. Compliance Requirements

a) Any document (including reports) required to be submitted and required by a federally applicable requirement in this Title V permit shall include a certification by a Responsible

Officialthat, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

b) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with paragraph (E) of OAC rule 3745-77-03.

(3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c) The permittee shall submit progress reports to the Ohio EPA DAPC, Northeast District Office concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

(2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

d) Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the Director (the Ohio EPA DAPC, Northeast District Office) and the Administrator of the U.S. EPA in the following manner and with the following content:

(1) Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted on or before April 30th of each year during the permit term.

(2) Compliance certifications shall include the following:

a. Identification of each term or condition that is the basis of the certification. The identification may include a statement by the Responsible Official that every term and condition that is federally enforceable has been reviewed, and such terms and conditions with which there has been continuous compliance throughout the year are not separately identified.

b. The permittee's current compliance status.

c. Whether compliance was continuous or intermittentconsistent with A.13.d.2.a above.

d. The method(s) used for determining the compliance status of the source currently and over the required reporting period consistent with A.13.d.2.a above.

e. Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.

(3) Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

(Authority for term: OAC rules 3745-77-07(C)(1),(2),(4) and (5) and ORC section 3704.03(L))

14. Permit Shield

a) Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

b) This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

(Authority for term: OAC rule 3745-77-07(F))

15. Operational Flexibility

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [as defined in OAC rule 3745-77-01(JJ)], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the Ohio EPA DAPC, Northeast District Office with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the Administrator of the U.S. EPA and the Ohio EPA DAPC, Northeast District Office as soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).

(Authority for term: OAC rules 3745-77-07(H)(1) and (2))

16. Emergencies

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.

(Authority for term: OAC rule 3745-77-07(G))

17. Off-Permit Changes

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

a) The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition.

b) The permittee provides contemporaneous written notice of the change to the Director and the Administrator of the U.S. EPA, except that no such notice shall be required for changes that qualify as insignificant emissions levels or activities as defined in OAC rule 3745-77-01(U). Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change.

c) The change shall not qualify for the permit shield under OAC rule 3745-77-07(F).

d) The permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e) The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit-to-install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.

(Authority for term: OAC rule 3745-77-07(I))

18. Compliance Method Requirements

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Federal Register 8314, Feb. 24, 1997), in the context of any future proceeding.

(This term is provided for informational purposes only.)

19. Insignificant Activities or Emissions Levels

Each IEU that is subject to one or more applicable requirements shall comply with those applicable requirements.

(Authority for term: OAC rule 3745-77-07(A)(1))

20. Permit to Install Requirement

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.

(Authority for term: OAC rule 3745-77-07(A)(1))

21. 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.

(Authority for term: OAC rule 3745-77-07(A)(1))

22. Permanent Shutdown of an Emissions Unit

The permittee may notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification from the Responsible Official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the Responsible Official that the emissions unit was permanently shut down.

After the date on which an emissions unit is permanently shut down (i.e., that has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31 and therefore ceases to meet the definition of an "emissions unit" as defined in OAC rule 3745-77-01(O)), rendering existing permit terms and conditions irrelevant, the permittee shall not be required, after the date of the certification and submission to Ohio EPA, to meet any Title V permit requirements applicable to that emissions unit, except for any residual requirements, such as the quarterly deviation reports, semi-annual deviation reports and annual compliance certification covering the period during which the emissions unit last operated. All records relating to the shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law.

Unless otherwise exempted, noemissions unit identified in this permit that has beencertified by the Responsible Official as being permanently shut down may resume operation without first applying for and obtaining a permit to install pursuant to OAC Chapter 3745-31.

(Authority for term: OAC rule 3745-77-01)

23. Title VI Provisions

If applicable, the permittee shall comply with the standards for recycling and reducing emissions of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

a) Persons operating appliances for maintenance, service, repair, or disposal must comply with the required practices specified in 40 CFR 82.156.

b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment specified in 40 CFR 82.158.

c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

(Authority for term: OAC rule 3745-77-01(H)(11)))

24. Reporting Requirements Related to Monitoring and Record Keeping RequirementsUnder State Law Only

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or record keeping information shall be submitted to theOhio EPA DAPC, Northeast District Office.

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

25. Records Retention RequirementsUnder State Law Only

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.

26. 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.

(Authority for term: OAC rule 3745-77-07(C))

27. Scheduled Maintenance/Malfunction Reporting For State-Only Requirements

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 Ohio EPA DAPC, Northeast District Office 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).

28. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The Ohio EPA DAPC, Northeast District Office must be notified in writing of any transfer of this permit.

(Authority for term: OAC rule 3745-77-01(C))

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no emission limitation (or control requirement), operational restriction and/or control device parameter limitation 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 by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

The permittee is not required to submit a quarterly report which states that no deviations occurred during that quarter for the following situations:

a) where an emissions unit has deviation reporting requirements for a specific emission limitation, operational restriction, or control device parameter limitation that override the deviation reporting requirements specified in Standard Term and Condition A.2.c)(2); or

b) where an uncontrolled emissions unit has no monitoring, record keeping, or reporting requirements and the emissions unit's applicable emission limitations are established at the potential to emit; or

c) where the company's Responsible Official has certified that an emissions unit has been permanently shut down.

30. Submitting Documents Required by this Permit

All applications, notifications or reports required by terms and conditions in this permit to be submitted or "reported in writing" are to be submitted to Ohio EPA through the Ohio EPA's eBusiness Center: Air Services web service ("Air Services"). Ohio EPA will accept hard copy submittals on an as-needed basis if the permittee cannot submit the required documents through the Ohio EPA eBusiness Center. In the event ofan alternative hard copy submission in lieu of the eBusiness Center, the post-marked date or the date the document is delivered in person will be recognized as the date submitted. Electronic submission of applications, notifications, or reports required to be submitted to Ohio EPA fulfills the requirement to submit the required information to the Director, the Ohio EPA DAPC, Northeast District Office, and/or any other individual or organization specifically identified as an additional recipient identified in this permit unless otherwise specified. Consistent with OAC rule 3745-15-03, the required application, notification or report is considered to be "submitted" on the date the submission is successful using a valid electronic signature. Signature by the Responsible Official may be represented as provided through procedures established in Air Services.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

   a) None.

2. The following emissions unit contained in this permit is subject to 40 CFR Part 60, Subpart EEEE, Standards of Performance for Other Solid Waste Incineration Units for Which Construction is Commenced After December 9, 2004, or for Which Modification or Reconstruction is Commenced on or After June 16, 2006: N001. The complete NSPS requirements may be accessed via the internet from the Electronic Code of Federal Regulations (e-CFR) website http://ecfr.gpoacess.gov or by contacting the Ohio EPA Northeast District Office.

3. Air contaminant sources that qualify as de minimis under OAC rule 3745-15-05, or are exempt under OAC rule 3745-31-03(A)(1) or (4) are not subject to emission standards established within this permit. Although this permit does not apply to de minimis or exempt sources, emissions from de minimis or exempt sources must be included in the total potential to emit (PTE) calculations for this permit.

4. Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

C. Emissions Unit Terms and Conditions

1. N001, Air Burner model S-220

Operations, Property and/or Equipment Description:

Portable Air Burner or Air Curtain Destroyer for elimination of wood waste, clean lumber and yard waste rated at 6 tons per hour. This unit is equipped with a Kubota 03-M Series V2403-M-T-E3B diesel engine CI RICE with a rated power of 44.0 kw that powers a special fan to force air into the burn box. This is a portable emissions unit that can be relocated.

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) d)(5)

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	ORC 3704.03(T) (PTI P0119745)	Carbon monoxide (CO) emissions shall not exceed 13.99 tons/month per rolling, 12-month period. Particulate emissions (PE) and particulate matter emissions with a diameter equal to or less than 10 microns (PM_{10}) shall not exceed 1.18 tons/month per rolling, 12-month period.
b.	OAC rule 3745-31-05(A)(3) June 30, 2008 (PTI P0119745)	Sulfur dioxide (SO_2) emissions shall not exceed 1.86 lbs/hr and 1.98 tpy. Nitrogen oxides (NO_x) emissions shall not exceed 0.6 lb/hr and 0.64 tpy. Volatile organic compound (VOC) emissions shall not exceed 6.36 lbs/hr and 6.77 tpy. See b)(2)b.
c.	OAC rule 3745-31-05(A)(3)(a)(ii) June 30, 2008	The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the SO_2, NO_x and VOC emissions since the potential to emit is less than 10 tons/year. See b)(2)c.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
d.	OAC rule 3745-31-05(D)(1)(a) OAC rule 3745-31-05(F) (PTI P0119745)	The maximum daily wood waste, clean lumber and yard waste to be burned in this emissions unit shall not exceed 35 tons per day. See b)(2)d, c)(1) and g)(8).
e.	OAC rule 3745-17-07(B) OAC rule 3745-17-08(B)	The emission limitations required by these applicable rules are less stringent than the emission limitation established pursuant to 40 CFR Part 60, Subpart EEEE.
f.	OAC chapter 3745-19	See b)(2)h.
g.	40 CFR Part 60, Subpart EEEE	See b)(2)e, b)(2)k, c)(2), d)(4), e)(2), f)(2) and g)(8).
h.	40 CFR Part 63, Subpart ZZZZ 40 CFR Part 60, Subpart IIII	Not applicable at this time. See b)(2)i.

(2) Additional Terms and Conditions

a. Best Available Technology (BAT) requirements pursuant to ORC 3704.03(T) include the emission limitations specified in permit condition b)(1)a and compliance with the terms and conditions of this permit.

b. This Best Available Technology (BAT) emission limit applies until U.S. EPA approves Ohio Administrative Code (OAC) paragraph 3745-31-05(A)(3)(a)(ii) (the less than 10 tons per year BAT exemption) into the Ohio State Implementation Plan (SIP).

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

d. This permit for this air contaminant source takes into account the voluntary restrictions (including the use of any applicable air pollution control equipment), as provided by the permittee, for the purpose of being applicable to 40 CFR Part 60, Subpart EEEE.

e. Within 60 days after the air curtain incinerator reaches the charge rate at which it will operate, but no later than 180 days after its initial startup, the permittee shall meet the following:

i. visible PE from the air curtain incinerator shall not exceed 10% opacity, as a 6-minute average; and

ii. visible PE from the air curtain incinerator shall not exceed 35% opacity, as a 6-minute average, during the startup period that is within the first 30 minutes of operation.

The limitations above apply at all times except during malfunctions.

f. The permittee shall use only clean oils (e.g., diesel fuel, No. 2 fuel oil, kerosene) to ignite waste.

g. The permittee shall burn only no. 2 diesel fuel oil in the diesel engine associated with this emissions unit.

h. This emissions unit shall be operated in compliance with the requirements of Ohio Administrative Code Chapter 3745-19, "Open Burning Standards". These rules include, but are not limited to, the following:

i. The siting of the air curtain incinerator shall be at a point on the premises no less than one thousand feet from any inhabited building not located on said premises.

ii. No materials may be charged to the burner less than thirty minutes after sunrise and shall be completed not less than sixty minutes prior to sunset. A log shall be maintained on site, and available upon request, that documents daily beginning and ending times of charging.

iii. The air curtain burner shall be attended at all times while burning is occurring and until flames are no longer visible.

iv. The air curtain shall be maintained until all material within the air curtain burner has been reduced to coals, and flames are no longer visible.

v. At no time shall material be loaded into the air curtain burner such that the material extends into and above the air curtain, except for brief moments during loading.

i. The requirements of 40 CFR Part 63, Subpart ZZZZ (the National Emission Standards for Hazardous Air Pollutants for Stationary RICE) and 40 CFR Part 60, Subpart IIII (Standards of Performance for Stationary Compression Ignition ICE) do not apply to this emissions unit as long as it meets the definition of a nonroad engine as defined by 40 CFR 1068.30. However, if this emissions unit remains at a location for more than 12 consecutive months, it will no longer meet the definition of a nonroad engine as defined in 40 CFR 1068.30 and instead will meet the definition of a stationary internal combustion engine as defined by 40 CFR Part 60, Subpart IIII, 60.4219. As such, if at any time this emissions unit remains at a location for more than 12 consecutive months, the requirements of the above stated rules shall apply.

j. The permittee shall not locate this emissions unit in any area within the State of Ohio designated as nonattainment for CO.

k. In accordance with 40 CFR 60.2974, the permittee is required to apply for and obtain a Title V operating permit.

c) Operational Restrictions

(1) The maximum daily wood waste, clean lumber and yard waste to be burned in this emissions unit shall not exceed 35 tons per day.

[Authority for term: OAC rule 3745-77-07(A)(1), OAC rule 3745-77-07(B)(1) and PTI P0119745]

(2) In accordance with 40 CFR 60.2970(b), the air curtain incinerator shall burn only 100 percent wood waste, 100 percent clean lumber, 100 percent yard waste and 100 percent mixture of only wood waste, clean lumber and/or yard waste as defined below:

a. *Clean lumber* means wood or wood products that have been cut or shaped and include wet, air-dried, and kiln-dried wood products. Clean lumber does not include wood products that have been painted, pigment-stained, or pressure-treated by compounds such as chromate copper arsenate, pentachlorophenol and creosote.

b. *Wood waste* means untreated wood and untreated wood products, including tree stumps (whole or chipped), trees, tree limbs (whole or chipped), bark, sawdust, chips, scraps, slabs, millings, and shavings. Wood waste does not include:

i. grass, grass clippings, bushes, shrubs, and clippings from bushes and shrubs from residential, commercial/retail, institutional, or industrial sources as part of maintaining yards or other private or public lands;

ii. construction, renovation, or demolition wastes; and

iii. clean lumber.

c. *Yard waste* means grass, grass clippings, bushes, shrubs and clippings from bushes and shrubs. Yard waste comes from residential, commercial/retail, institutional or industrial sources as part of maintaining yards or other private or public lands. Yard waste does not include:

i. construction, renovation, and demolition wastes; and

ii. clean lumber.

[Authority for term: OAC rule 3745-77-07(A)(1), 40 CFR Part 60, Subpart EEEE and PTI P0119745]

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain monthly records of the following information that are associated with the air curtain incinerator (burning of clean lumber, wood waste and yard waste):

a. the total burning rate per day, in tons; and

b. the total clean lumber, wood waste and yard waste, in tons, that were burned for each month.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

(2) For each day during which the permittee burns a fuel other than diesel fuel as specified in b)(2)g, the permittee shall maintain a record of the type, quantity and documentation of the sulfur content of fuel burned in this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

(3) The permittee shall maintain a monthly record of the location of this emissions unit (a location is any single site at a building, structure, facility or installation). The location shall be recorded for all locations at the primary permitted site and all temporary locations off site.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

(4) In accordance with 40 CFR 60.2973, the permittee shall comply with the following monitoring and record keeping requirements for the air curtain incinerator:

a. The permittee shall keep records of results of all initial and annual opacity tests in either paper copy or computer-readable format that can be printed upon request, unless the Administrator approves another format, for at least 5 years. The permittee shall keep each record on site for at least 2 years. The permittee may keep the records off site for the remaining 3 years.

b. The permittee shall make all records available for submittal to the Administrator or for an inspector's review.

[Authority for term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart EEEE and PTI P0119745]

(5) Modeling to demonstrate compliance with the "Toxic Air Contaminant Statute" in ORC 3704.03(F)(4)(b) was not necessary because the emissions unit's maximum annual emissions for each toxic air contaminant, as defined in OAC rule 3745-114-01, will be less than 1.0 ton per year. OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by OAC rule 3745-31-01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any toxic air contaminant to increase to above 1.0 ton per year may require the permittee to apply for and obtain a new PTI or PTIO.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

e) Reporting Requirements

(1) The permittee shall submit quarterly deviation (excursion) reports that identify:

a. all exceedances of the total burning rate per day, in tons.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

(2) In accordance with 40 CFR 60.2973, the permittee shall comply with the following reporting requirements for the air curtain incinerator:

a. The permittee shall submit the results (each 6-minute average) of the initial opacity test no later than 60 days following the initial test.

b. The permittee shall submit annual opacity test results within 12 months following the previous report.

c. The permittee shall submit initial and annual opacity test reports as electronic or paper copy on or before the applicable submittal date.

d. The permittee shall keep a copy of the initial and annual reports on site for a period of 5 years. The permittee shall keep each report on site for at least 2 years. The permittee may keep the reports off site for the remaining 3 years.

[Authority for term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart EEEE and PTI P0119745]

f) Testing Requirements

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

a. <u>Emission Limitation</u>:

CO emissions shall not exceed 13.99 tons/month per rolling, 12-month period.

<u>Applicable Compliance Method</u>:

Compliance with the annual CO emission limitation shall be demonstrated by multiplying the CO emission factor of 26.3 lbs/ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton and 12 months/year. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1) of this permit. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

b. Emission Limitation:

PE/PM_{10} emissions shall not exceed 1.18 tons/month per rolling, 12-month period.

Applicable Compliance Method:

Compliance with the annual PE/PM_{10} emission limitation shall be demonstrated by multiplying the PE/PM_{10} emission factor of 2.2 lbs of PE/PM_{10}/ton by the amount of wood waste burned (in tons) and dividing by 2,000 lbs/ton and 12 months/year. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1) of this permit. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

c. Emission Limitations:

SO_2 emissions shall not exceed 1.86 lbs/hr and 1.98 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the maximum hourly process weight rate of 6 tons by the emission factor burning rate of 0.31 lb of SO_2 per ton. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

Compliance with the annual SO_2 emission limitation shall be demonstrated by multiplying the SO_2 emission factor of 0.31 lb/ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1) of this permit. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

d. Emission Limitations:

NO_x emissions shall not exceed 0.6 lb/hr and 0.64 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the maximum hourly process weight rate of 6 tons by the emission factor burning rate of 0.10 lb of NO_x per ton. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to permittee.

Compliance with the annual NO_x emission limitation shall be demonstrated by multiplying the NO_x emission factor of 0.10 lb/ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1) of this permit.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

e. Emission Limitations:

VOC emissions shall not exceed 6.36 lbs/hr and 6.77 tpy.

Applicable Compliance Method:

Compliance with the hourly emission limitation shall be demonstrated by multiplying the maximum hourly process weight rate of 6 tons by the emission factor burning rate of 1.06 lbs of VOCper ton. Per the permit application, the emission factor was based on emissions performance tests carried out by USEPA according to the permittee.

Compliance with the annual VOC emission limitation shall be demonstrated by multiplying the VOCemission factor of 1.06 lbs/ton by the annual wood waste burned (in tons) and dividing by 2,000 lbs/ton. The annual wood waste burned should be based upon the record keeping requirements specified in d)(1) of this permit.

[Authority for term: OAC rule 3745-77-07(C)(1) and PTI P0119745]

f. Emission Limitation:

Visible PE from the air curtain incinerator shall not exceed 10% opacity, as a 6-minute average.

Applicable Compliance Method:

If required, compliance shall be demonstrated through visible emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9 and OAC rule 3745-17-03(B)(3).

[Authority for term: OAC rule 3745-77-07(C)(1), OAC rule 3745-17-03(B)(3) and PTI P0119745]

g. Emission Limitation:

Visible PE from the air curtain incinerator shall not exceed 35% opacity, as a 6-minute average, during the startup period that is within the first 30 minutes of operation.

Applicable Compliance Method:

If required, compliance shall be demonstrated through visible emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9 and OAC rule 3745-17-03(B)(3).

[Authority for term: OAC rule 3745-77-07(C)(1), OAC rule 3745-17-03(B)(3) and PTI P0119745]

(2) In accordance with 40 CFR 60.2972, the permittee shall:

a. Use 40 CFR Part 60, Appendix A, Method 9 to determine compliance with the opacity limitation, as required in f)(1)f and f)(1)g.

b. Conduct an initial test for opacity as specified in 40 CFR 60.18.

c. After the initial test for opacity, conduct annual tests no more than 12 months following the date of the previous test.

d. If the air curtain incinerator has been out of operation for more than 12 months following the date of the previous test, then the permittee must conduct a test for opacity upon startup of the unit.

[Authority for term: OAC rule 3745-77-07(C)(1), 40 CFR Part 60, Subpart EEEE and PTI P0119745]

g) Miscellaneous Requirements

(1) In accordance with 40 CFR 60.2969, your incinerator or air curtain incinerator is excluded from the requirements of this subpart if it is used on a temporary basis to combust clean lumber, wood waste and/or yard waste from a disaster or emergency such as a tornado, hurricane, flood, ice storm, high winds or act of bioterrorism. To qualify for this exclusion, the incinerator or air curtain incinerator must be used to combust clean lumber, wood waste and/or yard waste in an area declared a State of Emergency by a local or State government, or the President, under the authority of the Stafford Act, has declared that an emergency or a major disaster exists in the area, and you must follow the requirements specified in paragraphs listed below:

a. If the incinerator or air curtain incinerator is used during a period that begins on the date the unit started operation and lasts 8 weeks or less within the boundaries of the same emergency or disaster declaration area, then it is excluded from the requirements of this subpart. You do not need to notify the Administrator of its use or meet the emission limitations or other requirements of this subpart.

b. If the incinerator or air curtain incinerator will be used during a period that begins on the date the unit started operation and lasts more than 8 weeks within the boundaries of the same emergency or disaster declaration area, you must notify the Administrator that the temporary-use incinerator or air curtain incinerator will

be used for more than 8 weeks and request permission to continue to operate the unit as specified in paragraphs (b)(i) and (ii) of this section.

i. The notification must be submitted in writing by the date 8 weeks after you start operation of the temporary-use incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area.

ii. The notification must contain the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, identification of the disaster or emergency for which the incinerator or air curtain incinerator is being used, a description of the types of materials being burned in the incinerator or air curtain incinerator, a brief description of the size and design of the unit (for example, an air curtain incinerator or a modular starved-air incinerator), the reasons the incinerator or air curtain incinerator must be operated for more than 8 weeks, and the amount of time for which you request permission to operate including the date you expect to cease operation of the unit.

c. If you submitted the notification containing the information in paragraph (b)(ii) by the date specified in paragraph (b)(i), you may continue to operate the incinerator or air curtain incinerator for another 8 weeks, which is a total of 16 weeks from the date the unit started operation within the boundaries of the current emergency or disaster declaration area. You do not have to meet the emission limitations or other requirements of this subpart during this period.

i. At the end of 16 weeks from the date the incinerator or air curtain incinerator started operation within the boundaries of the current emergency or disaster declaration area, you must cease operation of the unit or comply with all requirements of this subpart, unless the Administrator has approved in writing your request to continue operation.

ii. If the Administrator has approved in writing your request to continue operation, then you may continue to operate the incinerator or air curtain incinerator within the boundaries of the current emergency or disaster declaration area until the date specified in the approval, and you do not need to comply with any other requirements of this subpart during the approved time period.

[Authority for term: 40 CFR Part 60, Subpart EEEE and PTI P0119745]

(2) At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install and Operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a “Notice of Site Approval” for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).

[Authority for term: OAC rule 3745-31-03(A)(1)(p)(i), OAC rule 3745-31-05(H) and PTI P0119745]

(3) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:

a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and

b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).

[Authority for term: OAC rule 3745-31-03(A)(1)(p)(i), OAC rule 3745-31-03(A)(1)(p)(ii), OAC rule 3745-31-05(H) and PTI P0119745]

(4) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:

a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;

b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site; and

c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the “Notice of Site Approval”.

[Authority for term: OAC rule 3745-31-03(A)(1)(p)(i) and PTI P0119745]

(5) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:

a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;

b. the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s);

c. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);

d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located; and

e. thepermittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31-05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

[Authority for term: OAC rule 3745-31-03(A)(1)(p)(ii), OAC rule 3745-31-05(H) and PTI P0119745]

(6) Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.

[Authority for term: OAC rule 3745-31-03(A)(1)(p)(i), OAC rule 3745-31-03(A)(1)(p)(ii), OAC rule 3745-31-05(H) and PTI P0119745]

(7) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01(LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745-77-01, must also meet all applicable requirements under the Title V program contained in OAC Chapter 3745-77, which may include the requirement to apply for a Title V permit.

(8) If the permittee exceeds the 35 tons per day throughput limitation, then the facility will be subject to 40 CFR Part 60, Subpart AAAA.