OhioEPA
State of Ohio Environmental Protection Agency
Street Address:
Lazarus Gov. Center
122 S. Front Street
Columbus, OH 43215
TELE: (614) 644-3020 FAX: (614) 644-2329
Mailing Address:
Lazarus Gov. Center
P.O. Box 1049
Columbus, OH 43216-1049

O.E.P.A.
S.E.D.O.
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08/06/04

**CERTIFIED MAIL**

**RE: Final Chapter 3745-35 Permit To Operate**

**F003 (Material Handling) Material Handling**

Buckingham Coal Company Inc. (06-05-00-0099)
Jeff McClain
21525 St. Rt. 13
PO Box 157
Glouster, OH 45732-0157

Dear Jeff McClain:

The enclosed Permit(s) to Operate allow you to operate the described emissions unit(s) in the manner indicated in the Permit(s). Because each permit contains several terms and conditions, I urge you to read them 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 of the Director is final and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's 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. It is also requested by the Director that a copy of the appeal be served upon the Environmental Enforcement Section of the Office of the Attorney General. 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

If you have any questions, please contact Southeast District Office.

Sincerely,

Michael W. Ahern

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

**cc: Southeast District Office**

State of Ohio Environmental Protection Agency

# Final Permit To Operate An Emissions Unit

Effective Date: 08/06/04

Expiration Date: 08/06/09

This document constitutes issuance to:

Facility ID: 06-05-00-0099
Buckingham Coal Company Inc.
St. Rt. 13
Glouster, OH 45732-0157

of a permit to operate for:

F003 (Material Handling)
Material Handling

You will be contacted six months prior to the expiration date regarding the renewal of this permit. If you are not contacted, please contact the appropriate Ohio EPA District Office or local air agency identified below. This permit and the authorization to operate the air contaminant source (emissions unit) at this facility shall expire at midnight on the expiration date shown above. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC Chapter 3745-35 and in accordance with the terms of this permit beyond the expiration date, provided that a complete renewal application is submitted no earlier than eighteen (18) months and no later than one-hundred eighty (180) days prior to the expiration date.

Described below is the Ohio EPA District Office or local air agency that is responsible for processing and administering your permit:

Southeast District Office
2195 Front Street
Logan, OH 43138
(740) 385-8501

This permit is granted subject to the conditions attached hereto.

OHIO ENVIRONMENTAL PROTECTION AGENCY

Christopher Jones
Director

## Part I: General Terms and Conditions

### 1. Compliance Requirements

The above-described emissions unit is and shall remain in full compliance with all applicable State and federal laws and regulations and the terms and conditions of this permit.

### 2. 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.

### 3. Reporting Requirements Related to Monitoring and Recordkeeping 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.)

### 4. 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 the permit. Such records may be maintained in computerized form.

### 5. 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 and federal 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.

**6. 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 unit 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 this emissions unit(s) that is (are) served by such control system(s).

**7. Permit Transfers**

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

**8. Air Pollution Nuisance**

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

**9. Permit Renewal**

Approximately six months prior to the expiration date of this permit, a notice regarding the renewal of this permit will be sent to the permittee's designated facility contact. If you are not contacted, please contact the following Ohio EPA District Office or local air agency which has jurisdiction in the area in which the facility is located:

Southeast District Office
2195 Front Street
Logan, OH 43138
(740) 385-8501

It is the permittee's responsibility to renew this permit even if no notice of its expiration is received.

## Part II: Special Terms and Conditions

### A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operation(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 employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

| Operations, Property, and/or Equipment | Applicable Rules/ Requirements | Applicable Emissions Limitations/Control Measures |
|---|---|---|
| Material Handling - coal conveying, transferring, loading | OAC rule 3745-31-05(A)(3)<br>PTI #06-06052 | Particulate emissions (PE) shall not exceed 1.175 tons per year.<br><br>See Sections A.2.b through A.2.c.<br><br>Visible fugitive particulate emissions (PE) shall not exceed 20% opacity, as a 3-minute average. |
| | 40 CFR Part 60, Subpart Y | The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3). |

2. **Additional Terms and Conditions**

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

material handling operation(s) control measure(s)

ALL Apply sufficient water or chemical dust suppressant at the unloading station to control dust emissions from all subsequent conveyors and transfer points.
Treat each sand or gravel storage pile with water and/or any other suitable dust suppression chemicals to control dust emissions during subsequent handling and truck loading and unloading operations ,use of front-end loaders, and minimize drop height distance.

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

**2.b** For each material handling operation that is not adequately enclosed, the above-identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.

**2.c** Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

### B. Operational Restrictions

**None**

## C. Monitoring and/or Record Keeping Requirements

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

   material handling operation(s) minimum inspection frequency

   ALL Daily

2. The above-mentioned inspections shall be performed during representative, normal operating conditions.

3. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.

4. The permittee shall maintain records of the following information:

   a. the date and reason any required inspection was not performed;

   b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s):

   c. the dates the control measure(s) was (were) implemented; and,

   d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

   The information in 4.d. shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

## D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:

   a. each day during which an inspection was not performed by the required frequency; and,

   b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

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

## E. Testing Requirements

1. Emission Limitation:
   Visible fugitive PE shall not exceed 20% opacity, as a 3-minute average.

   Compliance Method:
   Compliance with the above visible fugitive emission limit shall be determined using Test Method 22, if required.

2. Emission Limitation:
   PE shall not exceed 1.175 tons per year.

   Compliance Method:
   Compliance with the TPY emission limitation shall be demonstrated by a one time calculation using emission factors from AP 42, Compilation of Air Pollutant Emission Factors, 5th Ed., Chapter 13, Section 13.2.4.:
   Annual Allowable Emissions
   EF= 0.0004473 lb/t (21 transfer points,conveyor belts)(1,000,000 tons throughput)= 4.69 tpy (75% controll eff)= 1.175 tpy

## F. Miscellaneous Requirements

**None**