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Facility Name: **Valley Asphalt Corporation**

Application Number: **14-4667**

Date: **April 21, 1999**

GENERAL PERMIT CONDITIONS

TERMINATION OF PERMIT TO INSTALL

Substantial construction for installation must take place within 18 months of the effective date of this permit. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

NOTICE OF INSPECTION

The Director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above-named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, or to examine records or reports pertaining to the construction, modification or installation of the source(s) of environmental pollutants identified within this permit.

CONSTRUCTION OF NEW SOURCES

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

If the construction of the proposed source(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of Ohio Administrative Code (OAC) Rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as

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an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet applicable standards.

PERMIT TO INSTALL FEE

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 30 days of the effective date of this permit to install.

PUBLIC DISCLOSURE

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

APPLICABILITY

This Permit to Install is applicable only to the contaminant sources identified. Separate application must be made to the Director for the installation or modification of any other contaminant sources.

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BEST AVAILABLE TECHNOLOGY

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

PERMIT TO OPERATE APPLICATION

A Permit to Operate application must be submitted to the appropriate field office for each air contaminant source in this Permit to Install. In accordance with OAC Rule 3745-35-02, the application shall be filed no later than thirty days after commencement of operation.

SOURCE OPERATION AFTER COMPLETION OF CONSTRUCTION

This facility is permitted to operate each source described by this permit to install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws and regulations.

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
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AIR EMISSION SUMMARY

The air contaminant emissions units listed below comprise the Permit to Install for **Valley Asphalt Corporation** located in **Hamilton** County. The emissions units listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other state or federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

<u>Ohio EPA Source Number</u>	<u>Source Identification Description</u>
P908	400 ton per hour portable drum mix asphalt plant with fabric filter
P908 Cont'd	

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
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BAT
Determination

Use of fabric filter to control particulate emissions, production limitation, maintain aggregate material in moist condition, visible emission limitations, compliance with the Air Toxics Policy and specified emission limits.

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
			Subpart I	
			<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
	3745-15-07			See General Terms
	3745-17-07 (B)			See Additional Special Term and Condition A.3.
	3745-17-07 (A)			Less stringent*
	3745-17-08 (B)			See Additional Special Term and Condition A.4.
	3745-17-11			Less stringent*
	3745-31-05			22.9 pounds PM/hour (stack), 9.60 pounds PM/hour (fugitive), 15.2 tons PM/year (total) 7.3 pounds PM ₁₀ /hour, 10.4 tons PM ₁₀ /year. 40.0 pounds SO ₂ /hour, 40.0 tons SO ₂ /year. 30.0 pounds

40 CFR Part 60,

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* The emission limitation(s)/opacity restrictions established by these rules are less stringent than those established by Ohio Administrative Code rule 3745-31-05 (BAT).

SUMMARY

TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons/Year**</u>
Organic Compound	27.6
PM	15.2
SO ₂	40.0
NO _x	30.0
CO	14.4
PM ₁₀	10.4

** The emissions limitations are based on a rolling 12-month summation.

NSPS REQUIREMENTS

The following sources are subject to the applicable provisions of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60.

<u>Source Number</u>	<u>Source Description</u>	<u>NSPS Regulation (Subpart)</u>
P908	400 ton per hour portable asphalt plant	I

The application and enforcement of these standards are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.

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

- a. construction date (no later than 30 days after such date);
- b. anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
- c. actual start-up date (within 15 days after such date); and
- d. date of performance testing (If required, at least 30 days prior to testing).

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Reports are to be sent to:

Ohio Environmental Protection Agency

DAPC - Permit Management Unit

P.O. Box 163669

Columbus, OH 43216-3669

and **Hamilton County Dept. of Env. Services**

250 William Howard Taft Road

Cincinnati, OH 45219-2660

REPORTING REQUIREMENTS

Unless otherwise specified, reports required by the Permit to Install need only be submitted to **Hamilton County Dept. of Env. Services, 250 William Howard Taft Road, Cincinnati, OH 45219-2660.**

WASTE DISPOSAL

The owner/operator shall comply with any applicable state and federal requirements governing the storage, treatment, transport and disposal of any waste material generated by the operation of the sources.

MAINTENANCE OF EQUIPMENT

This source and its associated air pollution control system(s) shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers in order to minimize air contaminant emissions.

MALFUNCTION/ABATEMENT

In accordance with OAC RULE 3745-15-06, any malfunction of the source(s) or associated air pollution control system(s) shall be reported immediately to the **Hamilton County Dept. of Env. Services, 250 William Howard Taft Road, Cincinnati, OH 45219-2660.**

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Except as provided by OAC Rule 3745-15-06(A)(3), scheduled maintenance of air pollution control equipment that requires the shutdown or bypassing of air pollution control system(s) must be accompanied by the shutdown of the associated air pollution sources.

AIR POLLUTION NUISANCES PROHIBITED

The air contaminant source(s) identified in this permit may not cause a public nuisance in violation of OAC Rule 3745-15-07.

NOTICE OF INTENT TO RELOCATE

Pursuant to OAC Rule 3745-31-03(A)(1)(n), the owner or operator of the portable or mobile source identified within this Permit to Install may relocate within the state of Ohio without first obtaining a Permit to Install providing the following criteria are met:

- a. the source is equipped with the Best Available Control Technology for such source;
- b. the source is operating pursuant to a currently effective Permit to Operate;
- c. the applicant has provided proper notice of intent to relocate the source to the Director within a minimum of 30 days prior to the scheduled relocation; and,
- d. in the Director's judgement, the proposed site is acceptable under Rule 3745-15-07 of the Administrative Code.

In order for the Director to determine compliance with all of the above criteria, the owner or operator of the portable or mobile source must file a "Notice of Intent to Relocate" at least 30 days prior to relocation of the source with the **Hamilton County Dept. of Env. Services, 250 William Howard Taft Road, Cincinnati, OH 45219-2660**. Upon receipt of the notice, the Director, or the Director's authorized representative, will evaluate the request in accordance with the above criteria.

Failure to submit said notification and to receive Ohio Environmental Protection Agency approval prior to relocation of the source may result in fines and civil penalties.

CONSTRUCTION COMPLIANCE CERTIFICATION

The applicant shall provide Ohio EPA with a written certification

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

ADDITIONAL SPECIAL TERMS AND CONDITIONS

A. Applicable Emission Limitations and/or Control Requirements

1. The maximum particulate emissions from the fabric filter exhaust stack shall not exceed 0.04 grain per dry standard cubic foot and 22.9 pounds per hour.
2. Visible particulate emissions from the fabric filter exhaust stack shall not exceed ten percent (10%) opacity, as a six-minute average, except as provided by rule.
3. Visible particulate emissions from any fugitive dust emissions point shall not exceed twenty percent (20%) opacity as a three-minute average.
4. The drop height of the front end loader bucket shall be minimized to the extent possible in order to minimize or eliminate visible emissions of fugitive dust from the cold feed bins and recycled material (RAP) bin.
5. The aggregate loaded into the storage bins shall have a moisture content sufficient to minimize or eliminate the visible emissions of fugitive dust from the elevator and the transfer point to the dryer.
6. All recycled, used oil burned in this emissions unit shall meet the following specifications:

<u>Contaminant/Property</u>	<u>Allowable Specifications</u>
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum
lead	60 ppm, maximum
PCB's	10 ppm, maximum
total halogens	4000 ppm, maximum
mercury	1 ppm, maximum

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flash point	100 degrees Fahrenheit, minimum
heat content	135,000 Btu/gallon, minimum
sulfur content	0.5 percent, maximum

- * Some or all of these used oil specifications exceed the Resource Conservation & Recovery Act Standards of 40 CFR Part 266.40 and OAC rule 3745-58-50, thereby, making the used oil off-specification.

Used oil containing more than 1000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR Part 266.40(c) and OAC rule 3745-58-50. Therefore, the permittee may receive and burn used oil exceeding 1000 ppm of total halogens (but less than 4000 ppm, maximum) only if the supplier ["marketer" in 40 Part CFR 266.43(a)] has demonstrated to the Ohio EPA's Division of Solid and Hazardous Waste Management that the used oil does not contain any hazardous waste.

7. Mass emissions shall not exceed the amounts specified in the Air Emissions Summary page of PTI 14-4667.

B. Operational Restrictions

1. To ensure the fabric filter is operated according to the manufacturer's specifications and to maintain compliance with the allowable particulate emission rate, a pressure drop across the fabric filter of not less than 3 or greater than 6 inches of water shall be maintained at all times while the emissions unit is in operation.
2. The maximum asphaltic concrete production from this plant shall not exceed 400 tons per hour. This production rate is based on the emissions unit's potential to emit, therefore no hourly records are required.
3. The maximum annual production rate for this emissions unit shall not exceed 800,000 tons per year, based upon a rolling, 12-month summation of the production rates.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, compliance with the annual production rate limitation shall not exceed the production levels specified in the following table:

<u>Month</u>	<u>Maximum Allowable Cumulative Production (Tons)</u>
1-1	66,667

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1-2	133,333
1-3	200,000
1-4	266,667
1-5	333,333
1-6	400,000
1-7	466,667
1-8	533,333
1-9	600,000
1-10	666,667
1-11	733,333
1-12	800,000

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

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4. The permittee may not receive or burn any used oil which does not meet the specifications listed in this permit without first obtaining a permit to install that authorizes the burning of such used oil.
5. The permittee may not receive or burn any #2 fuel oil and/or used oil which has a sulfur content greater than 0.5 percent.

C. Monitoring and Recordkeeping Requirements

1. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the fabric filter while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across the fabric filter on a once per shift basis.
2. The permittee shall receive a chemical analysis with each shipment of used oil from the supplier. The analysis shall identify the name and address of the supplier, the supplier's USEPA identification number, and the following information:
 - a. date of shipment or delivery;
 - b. quantity of used oil received;
 - c. the Btu value of the used oil, in Btu/gallon;
 - d. the flash point of the used oil, in degrees Fahrenheit;
 - e. the arsenic content, in ppm;
 - f. the cadmium content, in ppm;
 - g. the chromium content, in ppm;
 - h. the lead content, in ppm;
 - i. the PCB content, in ppm;
 - j. the total halogen content, in ppm;
 - k. the mercury content, in ppm; and,
 - l. the sulfur content percent (%).

Each analysis shall be kept in a readily accessible location for at least 5 years and shall be made available to the Director (the Hamilton County Dept. of Env. Services) upon verbal or written request. The Director or any authorized representative of the Director may require or may conduct periodic, detailed chemical analyses through an independent laboratory

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of any used oil shipment received by this facility, of any used oil stored at this facility, or of any used oil sampled at the dryer.

3. The permittee shall maintain monthly records of the following information:
 - a. the asphalt production rate for each month; and,
 - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the asphalt production rates.

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

4. For each shipment of #2 fuel oil received for burning in this emissions unit, the permittee shall maintain records of the total quantity of oil received and the permittee's or oil supplier's analyses for sulfur content and heat content.
5. The permittee shall collect and record the following information for each change where the air toxic modeling was required pursuant to the Air Toxic Policy:
 - a. background data that describes the parameters changed (composition of materials, new pollutants emitted, change in stack/exhaust parameters, etc.); and,
 - b. a copy of the resulting computer model runs that show the results of the application of the Air Toxic Policy for the change.
6. 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, unless otherwise specified in this permit. 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.

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D. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports which identify all periods of time during which the pressure drop across the fabric filter did not comply with the allowable pressure drop range specified in Term B.1.
2. 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 Hamilton County Dept. of Env. Services; and,
 - 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 Hamilton County Dept. of Env. Services. 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 30, April 30, July 30, and October 30 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. The permittee shall notify the USEPA and the Ohio EPA if any of the used oil exceeds the oil specifications. An identification number from USEPA shall be obtained prior to the combustion of any used oil. Before the permittee accepts the first shipment of any off-specification used oil from a marketer, the permittee must provide the marketer a one-time, written and signed notice certifying that:
 - a. the permittee has notified USEPA of its used oil management activities and that the notice included the location and description of those activities;
and,
 - b. the permittee will burn the used oil only in an industrial furnace or boiler identified in 40 CFR Part 266.41(b) and OAC rule

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A copy of each certification notice that the permittee sends to a marketer must be kept on file for a minimum of 5 years from the date it last received off-specification used oil from that marketer.

The facility shall also submit a copy of each certification notice to the Hamilton County Dept. of Env. Services.

4. The permittee shall submit deviation (excursion) reports that identify all exceedances of the rolling, 12-month production rate limitation and, for the first 12 calendar months of operation following the issuance of this permit, all exceedances of the maximum allowable cumulative production levels. The report shall also identify any exceedances of the sulfur content limits of the oil contained in Additional Special Term and Condition B.5.
5. The permittee shall submit annual reports which specify the total PM, PM₋₁₀, SO₂, NO_x, OC and CO emissions from this emissions unit for the previous calendar year. These reports shall be submitted by January 30 of each year.
6. The permittee shall submit a "Notice of Intent to Relocate a Portable or Mobile Source" form 30 days prior to any planned relocation of this emissions unit, in accordance with OAC rule 3745-31-03(A)(6) [A copy of the form is attached to this permit]. Approval of the planned relocation must be obtained from the Hamilton County Department of Environmental Services prior to the relocation.
7. The permittee shall furnish the Administrator written notification as follows:

A notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under 40 CFR 60.14(e). This notice shall be postmarked 60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the

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change. The Administrator may request additional relevant information subsequent to this notice.

E. Compliance Methods/Testing Requirements

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

- a. Emission Limitation

Specified emissions limits for CO, NO_x, SO₂, OC, PM and PM₋₁₀.

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Applicable Compliance Method

The permittee shall calculate the PM₁₀, CO, NO_x, and SO₂ emission rates using emission factors from AP-42 Table 11.1-6 and 11.1-8.

The OC and PM emission rates will be determined based on the emission testing.

2. Emission Limitation

20 percent opacity for fugitive emissions and 10 percent opacity for stack emissions.

Applicable Compliance Method

Method 9, 40 CFR Part 60, Appendix A

3. Within 60 days after achieving the maximum production rate at which the emissions unit will be operated, but no later than 180 days after initial startup of the emissions unit, the permittee shall conduct, or have conducted, an emission test(s) for this emissions unit in order to demonstrate compliance with the allowable mass emission rate(s) for particulate matter (PM) and organic compounds (OC). The PM test(s) shall be conducted in accordance with the test methods and procedures specified in Method 5 of 40 CFR Part 60, Appendix A and the OC test(s) shall be conducted in accordance with the test methods and procedures specified in Method 25 (or suitable equivalent) of 40 CFR Part 60, Appendix A while the emissions unit is operating at or near maximum capacity and using only virgin aggregate.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and dates(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the field office's refusal to accept the results of the emissions test(s).

Personnel from the Hamilton County Dept. of Env. Services shall be permitted to witness the test(s), examine the testing

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equipment and acquire data and information regarding
the emissions unit operating parameters.

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For the purpose of demonstrating initial compliance, opacity observations shall be conducted concurrently with the emissions test unless visibility or other conditions prevent the opacity observations from being conducted concurrently with the emissions test.

In such a case, the permittee shall reschedule the opacity observations as soon after the emissions test as possible, but not later than 30 days thereafter, and shall advise the Administrator of the rescheduled date.

In these cases, the 30-day prior notification to the Administrator required in 40 CFR 60.7(a)(6) shall be waived. The rescheduled opacity observations shall be conducted (to the extent possible) under the same operating conditions that existed during the emissions test. The visible emissions observer shall determine whether visibility or other conditions prevent the opacity observations from being made concurrently with the initial performance test in accordance with procedures contained in Method 9, 40 CFR Part 60, Appendix B. Opacity readings of portions of plumes which contain condensed, uncombined water vapor shall not be used for purposes of determining compliance with opacity standards. The owner or operator of an affected facility shall make available, upon request by the Administrator, such records as may be necessary to determine the conditions under which the visual observations were made and shall provide evidence indicating proof of current visible observer emission certification.

A comprehensive written report on the results of the emission test(s) shall be submitted within 30 days following completion of the test(s).

4. Compliance with the used oil specifications in Additional Special Term and Condition A.6 shall be demonstrated by the recordkeeping in Additional Special Term and Condition C.2.
5. Compliance with the annual asphalt production limitations in Additional Special Term and Condition B.3 shall be demonstrated by the recordkeeping in Additional Special Term and Condition C.3.

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6. This permit allows the use of materials (typically coatings and cleanup materials) specified by the permittee in the permit to install application for this emissions unit. To fulfill the best available technology requirements of (OAC) rule 3745-31-05 and to ensure compliance with OAC rule 3745-15-07 (Air Pollution Nuisances Prohibited), the emission limitation(s) specified in this permit was (were) established using the Ohio EPA's "Air Toxic Policy" and is (are) based on both the materials used and the design parameters of the emissions unit's exhaust system, as specified in the application. The Ohio EPA's "Air Toxic Policy" was applied for each pollutant using the SCREEN 3.0 model and comparing the predicted 1-hour maximum ground-level concentration to the Maximum Acceptable Ground-Level Concentration (MAGLC). The following summarizes the results of the modeling for each pollutant:

Pollutant: Hydrogen Chloride

TLV (ug/m3): 7500

Maximum Hourly Emission Rate (lbs/hr): 3.2

Predicted 1 Hour Maximum Ground-Level Concentration(ug/m3): 4.2

Maximum Acceptable Ground-Level Concentration (MAGLC) (ug/m3): 179

7. 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 the OAC rule 3745-31-01. The permittee is hereby advised that the following changes to the process may be determined to be a "modification":
- a. changes in the composition of the materials used (typically for coatings or cleanup materials), or the use of new materials, that would result in the emission of a compound with a lower Threshold Limit Value (TLV), as indicated in the most recent version of the handbook entitled "American Conference of Governmental Industrial Hygienists (ACGIH)," than the lowest TLV value specified in the above table;
 - b. changes to the emissions unit or its exhaust parameters (e.g., increased emission rate [not including an increase in an "allowable" emission limitation specified in the terms and conditions of this permit], reduced exhaust gas flow rate, and decreased stack height);

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- c. changes in the composition of the materials used, or use of new materials, that would result in the emission of an air contaminant not previously permitted; and,
 - d. changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any pollutant that has a listed TLV.
8. The Ohio EPA will not consider any of the above-mentioned as a "modification" requiring a permit to install, if the following conditions are met:
- a. the change is not otherwise considered a "modification" under OAC Chapter 3745-31;
 - b. the permittee can continue to comply with the allowable emission limitations specified in its permit to install; and,
 - c. prior to the change, the applicant conducts an evaluation pursuant to the Air Toxic Policy, determines that the changed emissions unit still satisfies the Air Toxic Policy, and the permittee maintains documentation that identifies the change and the results of the application of the Air Toxic Policy for the change.

For any change to the emissions unit or its method of operation that either would require an increase in the emission limitation(s) established by this permit or would otherwise be considered a "modification" as defined in OAC rule 3745-31-01, the permittee shall obtain a final permit to install prior to the change.