State of Ohio Environmental Protection Agency

STREET ADDRESS:
Lazarus Government Center
50 W. Town St., Suite 700
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184
www.epa.state.oh.us

MAILING ADDRESS:
P.O. Box 1049
Columbus, OH 43216-1049

10/28/2008

Certified Mail
Facility ID: 0250000840
Permit Number: P0085611
County: Mahoning

Scott Herman
Mahoning Landfill, Inc.
3510 Garfield Road
New Springfield, OH 44443

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

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 EPA Weekly Review and the local newspaper, Youngstown-Vindicator. A copy of the public notice, the Statement of Basis, and the draft permit are enclosed. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page http://www.epa.state.oh.us/dapc in Microsoft Word and Adobe Acrobat format. Comments will be accepted as a marked-up copy of the permit or in narrative format. Any comments must be sent to the following:

Andrew Hall
Permit Review/Development Section
Ohio EPA, DAPC
122 South Front Street
Columbus, Ohio 43215

and

Ohio EPA DAPC, Northeast District Office
2110 East Aurora Road
Twinsburg, OH 43087

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 in writing 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)425-9171.

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

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

Mahoning County

PUBLIC NOTICE
ISSUANCE OF DRAFT AIR POLLUTION Title V Permit
Mahoning Landfill, Inc.

Issue Date: 10/28/2008
Permit Number: P0085611
Permit Type: Renewal
Permit Description: Title V permit renewal
Facility ID: 0250000840
Facility Location: Mahoning Landfill, Inc.
3510 Garfield Road,
Springfield Twp., OH 44443
Facility Description: Solid Waste Landfill

Chris Korleski, Director of the Ohio Environmental Protection Agency, 50 West Town Street, Columbus Ohio, has issued a draft action of an air pollution control Title V operating permit for the facility at the location identified above on the date indicated. Comments concerning this draft action, or a request for a public meeting, must be sent in writing no later than thirty (30) days from the date this notice is published. All comments, questions, requests for permit applications or other pertinent documentation, and correspondence concerning this action must be directed to Timothy Fischer at Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road or (330)425-9171. The permit, which includes a detailed description of the operations, and associated statement of basis for the permit requirements, can be downloaded from the Web page: www.epa.state.oh.us/dapc

Statement of Basis For Air Pollution Title V Permit

Facility ID:	0250-00-0840
Facility Name:	Mahoning Landfill, Inc.
Facility Description:	Landfill
Facility Address:	3510 Garfield Road, Smith Township, Ohio
Permit #:	P0085611

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) **NSPS requires that a Title V permit be submitted.**

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)?	Yes
Were there any Acommon control@ issues associated with this facility? If yes, provide a summary of those issues and explain how the DAPC decided to resolve them.	No
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	PTI 02-20127 was issued for all significant emissions units (F001, F002, and F003) for increase in waste

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)	acceptance rate.

B. Facility-Wide Terms and Conditions

Term and Condition (paragraph)	Basis		Comments
	SIP (3745-)	Other	

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
St = streamlining term used to replace a PTI monitoring, record keeping, or reporting requirement with an equivalent or more stringent requirement
ENF = did noncompliance issues drive the monitoring requirements?
R = record keeping requirements
Rp = reporting requirements
ET = emission testing requirements (not including compliance method terms)
Misc = miscellaneous requirements

EU(s)	Limitation	Basis		ND	OR	M	St	ENF	R	St	Rp	St	ET	Misc	Comments
		SIP (3745-)	Other												
F001	125.0 TPY of fugitive PE (unpaved) and 21.7 TPY from paved		31-05(A)(BAT)		Y	Y	N	N	Y	N	Y	N	N	N	No testing necessary for fugitives.
F001	No VEs except 3		31-05		Y	Y	N	N	Y	N	Y	N	N	N	No testing necessary for fugitives.

	min in 1 hr for unpaved and 1 min in 1 hr for paved		(A)(BAT)												
F002	4.4 TPY of fugitive PE		31-05(A)(BAT)		Y	Y	N	N	Y	N	Y	N	N	N	No testing necessary for fugitives.
F002	20%, 3 min ave.		31-05(A)(BAT)		Y	Y	N	N	Y	N	Y	N	N	N	No testing necessary for fugitives.
F003	4.0 TPY of fugitive PE		31-05(A)(BAT)		Y	Y	N	N	Y	N	Y	N	N	N	No testing necessary for fugitives.
F003	No VEs excep		31-0		Y	Y	N	N	Y	N	Y	N	N	N	No testing necessary for fugitives.

	t 3 min in 1 hr		5 (A)(BAT)												

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

DRAFT

Air Pollution Title V Permit
for
Mahoning Landfill, Inc.

Facility ID: 0250000840
Permit Number: P0085611
Permit Type: Renewal
Issued: 10/28/2008
Effective: To be entered upon final issuance
Expiration: To be entered upon final issuance

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Air Pollution Title V Permit
for
Mahoning Landfill, Inc.

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Authorization

Facility ID: 0250000840
Facility Description: Sanitary Landfill
Application Number(s): A0016283
Permit Number: P0085611
Permit Description: Title V permit renewal
Permit Type: Renewal
Issue Date: 10/28/2008
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:

Mahoning Landfill, Inc.
3510 Garfield Road
Springfield Twp., OH 44443

Ohio 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 43087
(330)425-9171

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 (540 days) and no later than 6 months (180 days) prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
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

(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
(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 recordings for 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 (i.e., postmarked) 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) constitutes a violation of an emission limitation (or control requirement) and, therefore, 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 scheduled maintenance, 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 promptly made to the appropriate Ohio EPA District Office or local air agency. Except as provided below, the written reports shall be submitted (i.e., postmarked) 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 (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency 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."
(Authority for term: OAC rule 3745-77-07(A)(3)(c)(iv))

(5) Reports of any required monitoring and/or record keeping information shall be submitted to Ohio EPA DAPC, Northeast District Office.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

3. 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) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and reissuance, or modification, or for denial of a permit renewal application.

b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.

c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with Standard Term and Condition 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 contaminent 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 official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

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

(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 appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(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 appropriate Ohio EPA District Office or local air agency) 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 (i.e., postmarked) on or before April 30th of each year during the permit term.

(2) Compliance certifications shall include the following:

(a) An identification of each term or condition of this permit that is the basis of the certification.

(b) The permittee's current compliance status.

(c) Whether compliance was continuous or intermittent.

(d) The method(s) used for determining the compliance status of the source currently and over the required reporting period.

(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 appropriate Ohio EPA District Office or local air agency 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 appropriate District Office of the Ohio EPA or local air agency 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 Fed. Reg. 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 has 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.

No emissions unit certified 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 opening 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 Requirements Under 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 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 (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 appropriate Ohio EPA District Office or local air agency. 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 (i.e., postmarked) 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 Requirements Under 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

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

28. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.
(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 (i.e., postmarked) 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 potentials to emit; or

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

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 insignificant emissions units are located at this facility:

   F004 - Screening Operation (PTI 02-9963)

   Each insignificant emissions unit at this facility must comply with all applicable State and federal regulations, as well as any emission limitations and/or control requirements contained within the identified permit-to-install for the emissions unit. Insignificant emissions units listed above that are not subject to specific permit-to-install requirements are subject to one or more applicable requirements contained in the SIP-approved versions of OAC Chapters 3745-17, 3745-18, and 3745-21.

   [Authority for term: OAC rule 3745-77-07(A)(13)]

3. The following insignificant emissions units located at this facility are exempt from permit requirements because they are not subject to any applicable requirements or because they meet the “de minimis” criteria established in OAC rule 3745-15-05:

   G001 - Fuel Dispensing Operations;

   T001 - Fuel Tank;

   T002 - Waste Oil Tank; and

   T003 - 108,000 Gallon Leachate Storage Tank.

   Each insignificant emissions unit at this facility must comply with all applicable State and federal regulations, as well as any emissions limitations and/or control requirements contained within a permit-to-install for the emissions unit.

C. Emissions Unit Terms and Conditions

1. F001, Facility roadways and parking areas

Operations, Property and/or Equipment Description:

Facility roadways and parking areas

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) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(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. 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
Unpaved roadways and parking areas		
a.	OAC rule 3745-31-05(A)(3) (PTI 02-20127)	125.0 tons/year of fugitive particulate emissions (PE) no visible PE except for three (3) minutes during any 60-minute period best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust [See b)(2)a. through b)(2)f.].
Paved roadways and parking areas		
b.	OAC rule 3745-31-05(A)(3) (PTI 02-20127)	21.7 tons/year of fugitive particulate emissions (PE) no visible PE except for one (1) minute during any 60-minute period best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust [See b)(2)a. through b)(2)f.]
Unpaved and paved roadways and parking areas		
c.	OAC rule 3745-17-07(B)	This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).
d.	OAC rule 3745-17-08(B)	The permittee is not located within an "Appendix A" area as identified in OAC

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).

(2) Additional Terms and Conditions

a. The permittee shall employ best available control measures on all paved and unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements.

In accordance with the permittee's application, the permittee has committed to treat the paved and unpaved roadways and parking areas with water via a spray truck at sufficient treatment frequencies and to maintain and enforce speed limits sufficient to ensure compliance with the visible emissions limitations of this permit.

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

b. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for paved or unpaved roadways and parking areas that are covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.

c. The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.

d. Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.

e. Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface resulting from the application of certain types of dust suppressants, may be controlled with the control measure(s) specified above for paved surfaces. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking areas.

f. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology (BAT) requirements of OAC rule 3745-31-05.

c) Operational Restrictions

(1) The permittee shall post speed limit signs identifying the maximum on-site speed limit on facility roadways.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(A)(1)]

d) Monitoring and/or Recordkeeping Requirements

(1) Except as otherwise provided in this section, the permittee shall perform inspections of the paved and unpaved roadways and parking areas once per day of operation.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(3) The permittee may, upon receipt of written approval from the Northeast District Office of Ohio EPA, 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.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(4) The permittee shall maintain records of the following information:

a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;

b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;

c. the dates the control measures were implemented; and

d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in d)(4)d. shall be kept separately for (i) the paved roadways and parking areas and (ii) the unpaved roadways and parking areas,

and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

e) Reporting Requirements

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

a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and

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

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

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

f) Testing Requirements

(1) Compliance with the emission limitations specified in b)(1) shall be determined in accordance with the following methods:

a. Emission Limitation:

There shall be no visible particulate emissions of fugitive dust from any unpaved roadway or parking area surface except for a time not to exceed three (3) minutes during any 60-minute observation period.

Applicable Compliance Method:

Compliance with the emission limitation for unpaved roadways and parking areas shall be determined in accordance with Test Method 22 as set forth in “Appendix on Test Methods” in 40 CFR Part 60 (“Standards of Performance for New Stationary Sources”), and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

[Authority for term: PTI 02-20127 and OAC rules 3745-15-04(A) and 3745-77-07(C)(1)]

b. Emission Limitation:

There shall be no visible particulate emissions of fugitive dust from any paved roadway or parking area surface except for a time not to exceed one (1) minute during any 60-minute observation period.

Applicable Compliance Method:

Compliance with the emission limitation for paved roadways and parking areas shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR Part 60 ("Standards of Performance for New Stationary Sources"), and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

[Authority for term: PTI 02-20127 and OAC rules 3745-15-04(A) and 3745-77-07(C)(1)]

c. Emission Limitation:

125.0 tons/year of fugitive PE from unpaved roadways and parking areas

Applicable Compliance Method:

Compliance with fugitive PE limitation shall be determined by using the emission factor equation in Section 13.2.2, in Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 11/06) for unpaved roadways. These emission limits are based on 168,357 vehicle miles traveled per year for normal traffic, 61,320 vehicle miles per year for construction traffic, a 75 percent (%) control efficiency for PE for normal traffic, and a 50 percent (%) control efficiency for PE for construction traffic.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

d. Emission Limitation:

21.7 tons/year of fugitive PE from paved roadways and parking areas

Applicable Compliance Method:

Compliance with fugitive PE limitations shall be determined by using the emission factor equations in Section 13.2.1, in Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 11/06) for paved roadways. These emission limits are based on 63,117 vehicle miles traveled per year and a 80 percent (%) control efficiency for PE.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) None.

2. F002, Municipal Solid Waste (MSW) Landfill - operations - waste disposal activities including dumping, spreading, compacting, covering, and gas generation

Operations, Property and/or Equipment Description:

Municipal Solid Waste (MSW) Landfill - operations - waste disposal activities including dumping, spreading, compacting, covering, and gas generation

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) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(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. 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.	OAC rule 3745-31-05(A)(3) (PTI 02-20127)	Particulate emissions of fugitive dust shall not exceed 4.4 tons per year. Visible particulate emissions of fugitive dust shall not exceed 20% opacity, as a 3-minute average. Use of fugitive dust control measures at sufficient frequencies to comply with the above emission limitations.
b.	40 CFR Part 60, Subpart WWW OAC Chapter 3745-76	The requirements of these applicable rules are equivalent to the requirements established pursuant to OAC rule 3745-31-05(A)(3).
c.	40 CFR Part 61, Subpart M OAC Chapter 3745-20	This landfill shall not accept regulated asbestos-containing materials (RACM). The requirements of these applicable rules are equivalent to the requirements established pursuant to OAC rule 3745-31-05(A)(3).
d.	OAC rule 3745-17-07(B)	This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).
e.	OAC rule 3745-17-08(B)	The permittee is not located within an

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		"Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).

(2) Additional Terms and Conditions

a. When the landfill is closed, the permittee is no longer subject to the requirement to maintain an operating permit under part 70 or 71 of this chapter for the landfill if the landfill is not otherwise subject to the requirements of either Part 70 or 71, provided the 5-year projected NMOC emission rate will not exceed 50 Mg/yr. [40 CFR 60.752(d)]

b. For purposes of submitting a timely application for, and obtaining an operating permit under Title V of the Act, the permittee is subject to the requirements of §§70.5(a)(1)(i) or 71.5(a)(1)(i) of this chapter. [40 CFR 60.752(b)(1) and 60.752(c)]

c. If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, then the permittee shall request the Ohio EPA Northeast District Office to reopen the Title V permit for review, or determine a site-specific methane generation rate constant and recalculate the NMOC emission rate using the procedures provided in this permit. [40 CFR 60.752(c)]

d. The facility shall not accept for disposal any RACM as defined in the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asbestos, 40 CFR Part 61, Subpart M, Section 141 and OAC rule 3745-20, or any subsequent revisions to either rule. RACM is defined to include:

i. friable asbestos material;

ii. Category I non-friable asbestos-containing material that has become friable;

iii. Category I non-friable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or

iv. Category II non-friable asbestos-containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

e. In addition, this facility shall not accept any Category II non-friable asbestos-containing material. For asbestos materials, the permittee shall be limited to accepting Category I non-friable asbestos-containing material that has not or will not be subjected to sanding, grinding, cutting, or abrading. The permittee shall ensure that any Category I non-friable asbestos-containing material which has not or will not be subjected to sanding, grinding, cutting, or abrading shall not

become friable during processing at the landfill. Any asbestos-containing material that is friable or becomes friable is subject to the asbestos NESHAP regulation. If any asbestos material arrives at the landfill from an unregulated residence and meets the description of regulated asbestos-containing material as described in b)(2)d.i. through b)(2)d.iv., the landfill shall:

i. cause or permit no visible emissions to the outside air from the asbestos-containing waste materials during on-site transportation, transfer, deposition or compacting operations;

ii. assure that deposition and burial operations be conducted in a manner which prevents handling by equipment or persons that causes asbestos-containing waste materials to be broken-up or dispersed before the materials are buried;

iii. cover the asbestos-containing waste material with at least 12 inches of non-asbestos-containing material, as soon as practicable after deposition, but no later than at the end of the operating day; and

iv. assure that during the unloading, deposition, burial and initial compaction of asbestos-containing waste materials, the disposal site is restricted adequately to deter unauthorized entry of the general public and any unauthorized personnel to within one hundred feet of the operations. [40 CFR 61.154, Subpart M] & [OAC rule 3745-20-06]

f. There shall be no open burning, in violation of OAC Chapter 3745-19, at this facility. [OAC Chapter 3745-19]

g. Pursuant to the authority in ORC section 3704.03(L), any representative of the director may, upon presentation of proper identification, enter at any reasonable time upon any portion of the property where this landfill is located, including any improvements thereon, to make inspections; take samples; conduct tests; examine records or reports pertaining to any emissions of air contaminants; and inspect monitoring equipment, emissions control equipment, and/or methods of operation and gas sampling. No operator or agent of this landfill shall act in any manner to refuse, hinder, or thwart this legal right of entry. [ORC section 3704.03(L)]

h. If this landfill is permanently closed, the permittee shall comply with all of the applicable provisions of OAC rule 3745-20-07. [OAC rule 3745-20-07(D)]

c) Operational Restrictions

(1) The permittee shall ensure that solid wastes are deposited, spread, and compacted in such a manner as to minimize or prevent visible emissions of fugitive dust. The permittee shall require all truckloads of solid waste to be unloaded in a manner that will minimize the drop height of the solid wastes. Any dusty materials or wastes likely to become airborne shall be watered as necessary prior to or during dumping operations in order to minimize or eliminate visible emissions of fugitive dust. Watering shall be conducted in such a manner as to avoid the pooling of liquids and runoff. No dusty material shall be dumped during periods of high wind speed, unless the material has been treated to prevent fugitive dust emissions from becoming airborne.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(A)(1)]

(2) The permittee shall employ best available control measures for the above-identified landfill fugitive dust operations/sources for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permit application, the permittee maintains that the inherent moisture content of the materials involved in fugitive dust operations/sources is at a level which is more than sufficient to comply with all applicable requirements. If at any time the moisture content is not sufficient to meet the above applicable requirements, the permittee shall employ best available control measures to ensure compliance.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(A)(1)]

(3) 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 measures 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 fugitive dust operation/sources until further observation confirms that use of the control measure(s) is unnecessary.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(A)(1)]

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

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(A)(1)]

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall keep for at least five (5) years up-to-date, readily accessible, on-site records of a design capacity report, the current amount of solid waste in-place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either paper copy or electronic formats are acceptable. [40 CFR 60.758(a)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(2) The permittee shall maintain records of the NMOC emission rate for the landfill using the procedures specified in 40 CFR 60.754(a)(1) and these terms.

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(3) The permittee shall keep readily accessible, on-site records of any conversion of design capacity from volume to mass or mass to volume, the annual recalculation of site-specific density, design capacity, and the supporting documentation. Off-site records may be maintained if they are retrievable within four (4) hours. Either paper copy or electronic formats are acceptable. [40 CFR 60.758(f)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(4) The permittee shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing and/or non-degradable wastes, excluded from collection as provided in 40 CFR 60.759(a)(3)(i), as well as any nonproductive areas excluded from collection as provided in 40 CFR 60.759(a)(3)(ii). [40 CFR 60.758(d)(2)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(5) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible emissions of fugitive dust resulting from any landfill operations (such as wastes unloading, covering, excavation, and wind erosion). The presence or absence of any visible emissions of fugitive dust shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:

a. the color of the emissions;

b. whether the emissions are representative of normal operations;

c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;

d. the total duration of any visible emission incident; and

e. any corrective actions taken to minimize or eliminate the visible emissions.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(6) The permittee shall maintain a daily operations log which records/documents any watering activity employed to minimize or eliminate visible emissions of fugitive dust for each waste dumping/placement area; the record shall include the time, the location, and the amount of water employed, in gallons.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

e) Reporting Requirements

(1) The permittee shall submit an NMOC emission rate (Tier 1) report to the Director annually. The NMOC emission rate shall be calculated using the formula and procedures provided in 40 CFR 60.754(a) or (b), as applicable. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the annual emissions. The Director may request such additional information as may be necessary to verify the reported NMOC emission rate. The annual NMOC emissions report shall be submitted to the Director (the Ohio EPA Northeast District Office) by June 6th of each year and shall cover the previous calendar year, until a collection and control system is installed in compliance with 60.752(b)(2) and operating in accordance with 40 CFR 60.753 and 60.755. 40 CFR 60.757(B)(1) allows for 5 year

summary reports, as long as the NMOC emission rate is under 50 Mg/y for all 5 years (see e)(4)d. [40 CFR 60.752(b)(1), 60.755, & 60.757(b)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(2) The permittee shall submit a collection and control system design plan and an application to modify the permit to install to implement the plan to the Director within one year (except as specified in e)(4)] of the first report in which the emission rate equals or exceeds 50 megagrams per year, except as follows:

a. If the permittee elects to recalculate the NMOC emission rate after Tier 2 NMOC sampling and analysis, and the resulting rate is less than 50 megagrams per year, annual periodic reporting shall be resumed, using the Tier 2 determined site-specific NMOC concentration, until the calculated emission rate is equal to or greater than 50 megagrams per year or the landfill is closed. The revised NMOC emission rate report, with the recalculated emission rate based on NMOC sampling and analysis, shall be submitted within 180 days of the first calculated exceedance of 50 megagrams per year.

b. If the permittee elects to recalculate the NMOC emission rate after determining a Tier 3 site-specific methane generation rate constant (k), and the resulting NMOC emission rate is less than 50 Mg/yr, annual periodic reporting shall be resumed. The resulting site-specific methane generation rate constant (k) shall be used in the emission rate calculation until such time as the emissions rate calculation results in an exceedance. The revised NMOC emission rate report based on the provisions of 40 CFR 60.754(a)(4) and the resulting site-specific methane generation rate constant (k) shall be submitted to the Director within one year of the first calculated emission rate exceeding 50 megagrams per year. [40 CFR 60.757(c)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(3) If the annual report demonstrates that calculated NMOC emission rate is equal to or greater than 50 megagrams per year, unless Tier 2 or Tier 3 sampling demonstrates that the emission rate is less than 50 megagrams per year, the permittee shall comply with the following:

a. Within one year, the permittee shall submit a collection and control system design plan that complies with 40 CFR 60.752 and is prepared by a professional engineer, and an amended permit to install application to the Director; and

b. Within 30 months, the permittee shall install and operate a collection and control system that captures the gas generated within the landfill as required by 40 CFR Part 60, Subpart WWW. [40 CFR 60.752(b)(2)]

c. If the permittee seeks to install a collection system that does not meet the specifications in 40 CFR 60.759, the permittee shall provide to the Director a description of the design and operation of the collection system, the operating parameters that would indicate proper performance, and appropriate monitoring

procedures. The Director may specify additional appropriate monitoring procedures. [40 CFR 60.756(e)]

The permittee shall submit a permit to install (PTI) application and be issued a new PTI, before an expansion or an increase in the waste material received increases the calculated NMOC emissions to equal or exceed 50 megagrams/year. If the amended design capacity report is not submitted with the PTI application, the permittee shall submit an amended design capacity report to the director within 90 days of the increase in the maximum design capacity of the landfill. [40 CFR 60.752(a) & 60.757(a)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(4) If the estimated NMOC emission rate as reported in the annual report to the Director is less than 50 megagrams per year in each of the next five (5) consecutive years, the permittee may elect to submit an estimate of the NMOC emission rate for the next five-year period in lieu of the annual report. This estimate shall include the current amount of solid waste-in-place and the estimated waste acceptance rate for each year of the five (5) years for which an NMOC emission rate is estimated. This estimate shall be revised at least once every five (5) years. If the actual waste acceptance rate exceeds the estimated waste acceptance rate in any year reported in the five-year estimate, a revised five-year estimate shall be submitted to the Director. The revised estimate shall cover the five-year period beginning with the year in which the actual waste acceptance rate exceeded the estimated waste acceptance rate. The NMOC emission rate report shall include all the data, calculations, sample reports and measurements used to estimate the five-year emissions. [40 CFR 60.752(b)(1), 60.755, & 60.757(b)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(5) The permittee shall submit an amended design capacity report to the Director providing notification of an increase in the design capacity of the landfill, within 90 days of an increase in the maximum design capacity of the landfill. This increase in design capacity may result from an increase in the permitted volume of the landfill or an increase in the density as documented in the annual recalculation required in 40 CFR 60.758(f). The amended design capacity report shall contain the following information:

a. A map or plot of the landfill, providing the size and location of the landfill, and identifying all areas where solid waste may be landfilled according to the permit issued by Ohio EPA's Division of Solid and Infectious Waste Management.

b. The maximum design capacity of the landfill. Where the maximum design capacity is specified in the permit issued by Ohio EPA's Division of Solid and Infectious Waste Management, a copy of the portion of the permit specifying the maximum design capacity may be submitted as part of the report. If the maximum design capacity of the landfill is not specified in the permit, the maximum design capacity shall be calculated using good engineering practices. The calculations shall be provided, along with the relevant parameters as part of the report. The Director may request other reasonable information as may be necessary to verify the maximum design capacity of the landfill. [40 CFR 60.757(a)(2) and (a)(3)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(6) Pursuant to the New Source Performance Standards (NSPS), the source owner/operator is hereby advised of the requirements to report the following at the appropriate times: [40 CFR 60.7]

a. construction date (no later than 30 days after such date);

b. actual start-up date (within 15 days after such date); and

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

Reports are to be sent to:

Ohio Environmental Protection Agency
DAPC - Permit Management Unit
Lazarus Government Center
P.O. Box 1049
Columbus, Ohio 43216-1049

and

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

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(7) The permittee shall submit a closure report to the Director within 30 days of cessation of waste acceptance. The Director may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR 258.60. If a closure report has been submitted to the Director, no additional wastes may be placed into the landfill without filing a notification of modification as described under 40 CFR 60.7(a)(4). If the landfill closes, and was not required to install a gas control and collection system terms of this permit specific to 40 CFR Part 60, Subpart WWW are no longer applicable. [40 CFR 60.752(b)(ii)(B), 40 CFR 60.757(d)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(8) The permittee shall submit quarterly written reports that (a) identify all days during which any visible emissions of fugitive dust from materials were observed from operations involving this emissions unit (such as wastes unloading, covering, excavation and wind erosion) and (b) describe any corrective actions taken to minimize or eliminate the visible emissions. These reports shall be submitted to the director (the Ohio EPA Northeast District Office) by January 31, April 30, July 31 and October 31 and shall cover the previous calendar quarters.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(9) The permittee shall maintain records of the total volume of material received each day. These records shall be maintained for a period of not less than three (3) years, and the records shall be available for review by the director or his representative during normal business hours.

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

f) Testing Requirements

(1) The permittee shall calculate Tier 2 and/or Tier 3 NMOC emission rates for the landfill using the procedures specified in 40 CFR 60.754. [40 CFR 60.752(b)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(2) The NMOC emission rate shall be calculated using either of the following equations specified below. Both equations may be used if the actual year-to-year solid waste acceptance rate is known, as specified in 40 CFR 60.754(a)(1)(i), for part of the life of the landfill. The default values to be used in both equations are 0.05 per year for "k", unless a site-specific methane generation rate constant is determined as specified in a Tier 3 determination; 170 cubic meters per megagram for " L_0"; and 4,000 ppm by volume as hexane for "C_{NMOC}", unless samples are collected and the actual NMOC concentration is determined, as specified in a Tier 2 determination.

a. The following equation shall be used if the actual year-to-year solid waste acceptance rate is known:

$$M_{NMOC} = \sum_{i=1}^{n} 2kL_0 M_i \left(e^{-kti}\right)\left(C_{NMOC}\right)\left(3.6x10^{-9}\right)$$

where:

M_{NMOC} = Total NMOC emission rate from the landfill, megagrams per year;

k = methane generation rate constant, year^{-1};

L_o = methane generation potential, cubic meters per megagram solid waste;

M_i = mass of solid waste in the ith section, megagrams;

t_i = age of the ith section, years;

C_{NMOC} = concentration of NMOC, parts per million by volume as hexane;

3.6 x 10^{-9} = conversion factor; and

n = number of sections.

The mass of non-degradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value for M_i, if documentation of the nature and amount of such wastes is maintained.

b. The following equation shall be used if the actual year-to-year solid waste acceptance rate is unknown:

$$M_{NMOC} = 2L_0R\left(e^{-kc} - e^{-kt}\right)\left(C_{NMOC}\right)\left(3.6x10^{-9}\right)$$

where:

M_{NMOC} = mass emission rate of NMOC, megagrams per year;

L_o = methane generation potential, cubic meters per megagram solid waste;

R = average annual acceptance rate, megagrams per year;

k = methane generation rate constant, $year^{-1}$;

t = age of landfill, years;

C_{NMOC} = concentration of NMOC, parts per million by volume as hexane;

c = time since closure, years; for active landfill c=0 and e^{-kc}=1; and

3.6×10^{-9} = conversion factor.

The mass of non-degradable solid waste may be subtracted from the total mass of solid waste in a particular section of the landfill when calculating the value of R, if documentation of the nature and amount of such wastes is maintained. [40 CFR 60.754(a)(1)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(3) The calculated NMOC mass emission rate shall be compared to the standard of 50 megagrams per year. If the calculated NMOC emission rate is calculated to be less than 50 megagrams per year, the permittee shall submit an annual or 5-year estimate of the NMOC emission rate, and shall recalculate the NMOC mass emission rate annually and submit the report to the director.

If the calculated NMOC emission rate is equal to or greater than 50 megagrams per year, within one year, the permittee shall either:

a. submit a collection and control system design plan, prepared by a professional engineer, and shall install it in compliance with 40 CFR 60.752(b)(2); or

b. determine a site-specific NMOC concentration and recalculate the NMOC emission rate using the procedures provided in a Tier 2 determination. [40 CFR 60.754(a)(2)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(4) A Tier 2 NMOC concentration shall be determined using the following sampling procedure:

a. There shall be at least two sample probes per hectare of landfill surface that has retained waste for at least two (2) years. If the landfill is larger than 25 hectares in area, only 50 sample probes are required. The sample probes should be located to avoid known areas of non-degradable solid waste.

b. One sample of landfill gas from each probe shall be collected and analyzed to determine the NMOC concentration using Method 25 or 25C of Appendix A of 40 CFR Part 60. Method 18 of Appendix A of 40 CFR Part 60 may be used to analyze the samples collected by the Method 25 or 25C sampling procedure.

c. Taking composite samples from different probes into a single cylinder is allowed; however, equal sample volumes must be taken from each probe. For each composite, the sampling rate, collection times, beginning and ending cylinder vacuums, or alternative volume measurements must be recorded to verify that composite volumes are equal. Composite sample volumes should not be less than one liter, unless evidence can be provided to substantiate the accuracy of smaller volumes. The compositing shall be terminated before the cylinder approaches ambient pressure where measurement accuracy diminishes.

d. If using Method 18, all compounds in the sample must be identified, and, at a minimum, the sample must be tested for those compounds published in the most recent Compilation of Air Pollutant Emission Factors (AP-42), minus carbon monoxide, hydrogen sulfide, and mercury. At a minimum, the instrument must be calibrated for each of the compounds on the list. The concentration of each Method 18 compound shall be converted to C_{NMOC} as hexane by multiplying it by the ratio of its carbon atoms divided by six.

e. The NMOC concentration determined from Method 25 or 25C of Appendix A of 40 CR Part 60 shall be divided by six, to convert from C_{NMOC} as carbon to C_{NMOC} as hexane.

f. If the landfill has an active or passive gas removal system in place, Method 25 or 25C samples may be collected from these systems instead of surface probes, provided the removal system can be shown to provide sampling as representative as the two sampling probe per hectare requirement. For active collection systems, samples may be collected from the common header pipe before the gas moving or condensate removal equipment. For these systems, a minimum of three samples must be collected from the header pipe.

g. If more than the required number of samples are taken, all samples must be used in the analysis.

h. The NMOC mass emission rate shall be recalculated using the average NMOC concentration from the collected samples instead of the default value.

i. If the resulting NMOC mass emission rate, recalculated using the site-specific NMOC concentration is equal to or greater than 50 megagrams per year, the permittee shall either:

i. comply with 40 CFR 60.752(b)(2) and within one year submit a collection and control system design plan and application to modify the permit to install, and within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, install the system; or

ii. perform a Tier 3 determination to determine the site-specific methane generation rate constant, k, and recalculate the NMOC emission rate using the site-specific NMOC concentration from Tier 2 and site-specific methane generation rate constant, k, from Tier 3.

j. If the resulting mass emission rate, recalculated using the site-specific NMOC concentration is less than 50 megagrams per year, the permittee shall submit annual or five-year reports for the estimated NMOC emissions, recalculated using the site-specific NMOC concentration. The site-specific NMOC concentration shall be retested, as above, every five (5) years. [40 CFR 60.754(a)(3)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(5) A Tier 3 determination of the site-specific methane generation rate constant, *k*, shall be determined, using the procedures provided in Method 2E of Appendix A of 40 CFR Part 60. The NMOC mass emission rate shall be estimated using the equations from 40 CFR 60.754(a)(1), as included in this permit, where a site-specific methane generation rate constant *k* and the site-specific NMOC concentration from Tier 2, instead of the default values provided with the calculation in the rule. The resulting NMOC mass emission rate shall be compared to the standard of 50 megagrams per year.

a. If the resulting NMOC mass emission rate, calculated using the site-specific methane generation rate constant from Tier 3 and the site-specific concentration of NMOC from Tier 2, is equal to or greater than 50 megagrams per year, the permittee shall comply with 40 CFR 60.752(b)(2) and submit, within one year submit a collection and control system design plan and application to modify the permit to install, and within 30 months after the first annual report in which the emission rate equals or exceeds 50 megagrams per year, install the system; or

b. If the resulting NMOC mass emission rate, calculated using the site-specific methane generation rate constant from Tier 3 and the site-specific concentration of NMOC from Tier 2, is less than 50 megagrams per year, the permittee shall submit either annual reports or 5-year submission as required by 40 CFR 60.757(b)(1)(ii) for the estimated NMOC emissions, recalculated each year using the site-specific methane generation rate constant k and the site-specific NMOC concentration from Tier 2, and submitted as provided in 40 CFR 60.757(b)(1).

c. The site-specific NMOC concentration shall be retested, as above, every five (5) years, to be used in the NMOC emission estimate calculations. However, the calculation of the methane generation rate constant is performed only once, and the value obtained from this test shall be used in all subsequent annual NMOC emission rate calculations. [40 CFR 60.754(a)(4)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(6) Other methods to determine the NMOC concentration or site-specific methane generation rate constant k, may be used as an alternative to the methods required in 40 CFR 754(a)(3) or (4), only if the method has been approved by the Administrator of the U.S. Environmental Protection Agency. [40 CFR 60.754(a)(5)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(7) When calculating emissions for PSD purposes, the permittee shall estimate the NMOC emission rate for comparison to the PSD major source and significance levels in 40 CFR 51.166 or 40 CFR 52.21 using AP-42 or other approved measurement procedures. [40 CFR 60.754(c)]

[Authority for term: PTI 02-20127, OAC rule 3745-77-07(C)(1), and 40 CFR Part 60, Subpart WWW]

(8) Compliance with the emission limitations specified in b)(1) shall be determined in accordance with the following methods:

a. Emission Limitation:

Visible particulate emissions of fugitive dust (material transfer, aggregate handling, load-in/load-out operations and wind erosion) from this emissions unit shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

If required, compliance shall be determined by visible emission evaluations performed in accordance with USEPA Reference Method 9 as set forth in "Appendix A on Test Methods" in 40 CFR Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996, and the modifications listed in paragraph (B)(3)(a) and (B)(3)(b) of OAC rule 3745-17-03(B)(3). [OAC rule 3745-17-07(B)]

[Authority for term: PTI 02-20127, OAC rules 3745-15-04(A) and 3745-77-07(C)(1)]

b. Emission Limitation:

Particulate emissions of fugitive dust shall not exceed 4.4 tons per year from daily cover material handling, waste dumping, spreading, grading, and compacting.

Applicable Compliance Method:

The potential emission rate for cover material handling is calculated using the following equation from AP-42, Chapter 13.2.4.3 (11/06):

E1 = [(0.74) * (0.0032) * (U/5)^1.3 / (M/2)^1.4] lb/ton * 456,250 tons/yr * ton/2,000 lbs * (1 - CE)

where:

U = mean wind speed, 9.4 for Youngstown;

M = moisture content of the soil, assume 12%;

456,250 tons/yr = cover soil material handled annually, estimated as half the annual waste receipt from application; and

CE = fractional control efficiency for moist material (0.75).

The potential emission rate for waste dumping is calculated using the following equation from AP-42, Chapter 13.2.4.3 (11/06):

E2 = [(0.74) * (0.0032) * (U/5)^1.3 / (M/2)^1.4] lb/ton * 912,500 tons/yr * ton/2,000 lbs * (1 - CE)

where:

U = mean wind speed, 9.4 for Youngstown;

M = moisture content of the waste, assume 20%;

912,500 tons/yr = annual waste receipt from application; and

CE = fractional control efficiency for moist material (0.75).

The potential emission rate for spreading, grading, and compacting is calculated using the following equation from AP-42, Table 11.9-1 (7/98) (this equation shall be applied once for cover soil material and once for waste material):

$E = [5.7 * (s)^{1.2}] / M^{1.3} * 8{,}760$ hrs/yr * ton/2,000 lbs * (1 – CE)

where:

s = silt content of cover material (9%),

silt content of waste material (5%);

M = moisture content of cover material (12%),

moisture content of waste material (20%); and

CE = fractional control efficiency for moist cover and waste material (0.75).

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) None.

3. F003, Facility storage piles - material load in/out and wind erosion

Operations, Property and/or Equipment Description:

Facility storage piles - material load in/out and wind erosion

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) None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(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. 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.	OAC rule 3745-31-05(A)(3) (PTI 02-20127)	There shall be no visible particulate emissions of fugitive dust from any storage pile except for a time not to exceed 1 minute during any 60-minute observation period. Particulate emissions shall not exceed 4.0 tons per year from wind erosion and load-in and load-out operations. The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust [See b)(2)a. through b)(2)e.]
b.	OAC rule 3745-17-07(B)	This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).
c.	OAC rule 3745-17-08(B)	The permittee is not located within an "Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).

(2) Additional Terms and Conditions

a. All of the storage piles at this facility are covered by this permit and are subject to the requirements of OAC rule 3745-31-05.

b. The permittee shall employ best available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's application, the permittee has committed to process aggregate material with inherently high moisture content and to minimize drop height distance from front-end loaders to ensure compliance.

The operator shall avoid dragging any front-end loader bucket along the ground. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

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

d. The permittee shall employ best available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the application, the permittee has committed to process aggregate material with inherently high moisture content to ensure compliance. If at any time the moisture content is not sufficient to meet the above emission limitation for wind erosion from the surfaces of all storage piles, the permittee shall employ fugitive dust control measures to ensure compliance. Fugitive dust control measures can include, but are not limited to, the use of water, the use of other dust suppressant materials, or the use of non dust producing approved cover materials. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

e. The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.

f. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

c) Operational Restrictions

(1) None.

d) Monitoring and/or Recordkeeping Requirements

(1) Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each storage pile at this facility once per day of operation.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(2) Except as otherwise provided in this section, the permittee shall perform inspections of each load-out operation at each storage pile at this facility once per day of operation.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(3) Except as otherwise provided in this section, the permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile at this facility once per day of operation.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(4) No inspection shall be necessary for wind erosion from the surface of a storage pile when the pile is covered with snow and/or ice and for any storage pile activity if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(5) The purpose of the inspections is to ensure continued compliance for load-in and load-out of a storage pile and for wind erosion from the surface of a storage pile and determine the need for implementing additional control measures. The inspections shall be performed during representative, normal storage pile operating conditions.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

(6) The permittee shall maintain records of the following information:

a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;

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

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

d. on a calendar quarter basis, the total number of days the control measure(s) were implemented and, for wind erosion from pile surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in d)(6)d. shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (iii) the pile surfaces (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

e) Reporting Requirements

(1) The permittee shall submit deviation (exceedance) reports that identify any of the following occurrences:

a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and

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

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

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

f) Testing Requirements

(1) Compliance with the emission limitations specified in b)(1) shall be determined in accordance with the following methods:

a. Emission Limitation:

There shall be no visible particulate emissions of fugitive dust from any storage pile except for a time not to exceed 1 minute during any 60-minute observation period.

Applicable Compliance Method:

Compliance with the visible emission limitation for the wind erosion and load-in and load-out operations from the storage piles identified above shall be determined in accordance with Test Method 22 as set forth in “Appendix on Test Methods” in 40 CFR Part 60 (“Standards of Performance for New Stationary Sources”).

[Authority for term: PTI 02-20127 and OAC rules 3745-15-04(A) and 3745-77-07(C)(1)]

b. Emission Limitation:

Particulate emissions shall not exceed 4.0 tons per year from wind erosion and load-in and load-out operations.

Applicable Compliance Method:

The permittee shall demonstrate compliance by summing the maximum potential emissions from wind erosion and material load in/out from soil storage piles.

The potential emission rate for wind erosion is calculated as determined by the method from U.S. EPA's Control of Open Fugitive Dust Sources, Equation 4-9 (September 1988), as follows:

[1.7 * (s/1.5) * (365 - p)/235 * (f/15)] lb/acre/day * 5 acres * 365 days/yr * ton/2,000 lbs * (1 - CE)

where:

s = the silt content (%) of the cover material (assume 9%);

p = number of days with at least 0.01 inch of precipitation per year, 150 days (Youngstown);

f = percent of time wind is at least 12 mph, 27.5% (Youngstown); and

CE = fractional control efficiency for moist material (0.75).

The potential emission rate for waste handling is calculated as determined from AP-42, Chapter 13.2.4.3 (11/06), as follows:

E = [(0.74) * (0.0032) * (U/5)^1.3 / (M/2)^1.4] lb/ton * 456,250 tons/yr * ton/2,000 lb * 2 * (1 - CE)

where:

U = mean wind speed, 9.4 for Youngstown;

M = moisture content of the soil, assume 12%;

456,250 = cover soil material handled annually, estimated as half the annual waste receipt from application;

2 = accounts for load-in and load-out; and

CE = fractional control efficiency for moist material (0.75).

[Authority for term: PTI 02-20127 and OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) None.