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Facility Name: **Ebony Fuel, Inc.**

Application Number: **14-4685**

Date: **June 30, 1999**

GENERAL PERMIT CONDITIONS

TERMINATION OF PERMIT TO INSTALL

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

NOTICE OF INSPECTION

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

CONSTRUCTION OF NEW SOURCES

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

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

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

PERMIT TO INSTALL FEE

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

PUBLIC DISCLOSURE

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

APPLICABILITY

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

BEST AVAILABLE TECHNOLOGY

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

PERMIT TO OPERATE APPLICATION

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

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of operation.

SOURCE OPERATION AFTER COMPLETION OF CONSTRUCTION

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

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

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

3745-15-07

<u>Ohio EPA Source Number</u>	<u>Source Identification Description</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>
F004	Railcar loading	Wet suppression (water or chemical), minimizing drop heights and production limitation	40 CFR 60, Subpart Y 3745-31-05 3745-17-07 (B) (1) 3745-17-08

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
	on B.3.			
Permit Allowable Emissions and/or Control/Usage Requirements	See Additional Special Term and Condition A.2.			
See Additional Special Term and Condition	See Additional Special Term and Condition B.1. and B.2.			
10.0 pounds/hour, 7.0 TPY PM 3.7 pounds/hour, 2.6 TPY PM ₁₀	See Additional Special Term and Condition			
See Additional Special Term and Condition				

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SUMMARY
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons/Year</u>
PM	7.0
PM ₁₀	2.6

REPORTING REQUIREMENTS

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

WASTE DISPOSAL

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

MAINTENANCE OF EQUIPMENT

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

MALFUNCTION/ABATEMENT

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

Except as provided by OAC Rule 3745-15-06(A)(3), scheduled

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maintenance of air pollution control equipment that requires the shutdown or bypassing of air pollution control system(s) must be accompanied by the shutdown of the associated air pollution sources.

ADDITIONAL SPECIAL TERMS AND CONDITIONS

A. Applicable Emissions and/or Control Requirements

1. The maximum emissions from emissions unit F004 shall not exceed the following:

10.0 lbs/hr and 7.0 TPY PM

3.7 lbs/hr and 2.6 TPY PM₁₀

The hourly emission limitations outlined above are based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with these limits.

2. Visible particulate emissions from emissions unit F004 shall not exceed 20 percent opacity, as a three-minute average.

B. Operational Restrictions

1. A suitable dust suppressant shall be applied as needed during railcar loading to ensure compliance with the visible emission limitation in Section A.2.
2. The drop height of the front-end loader during railcar loading shall be minimized.
3. The maximum annual railcar loading rate for this emissions unit shall not exceed 350,000 tons.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall maintain monthly records of the type and amount of each material loaded into railcars.
2. 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

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include, but not 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.

D. Reporting Requirements

1. The permittee shall submit annual reports that identify any exceedances of the annual loading rate limitation in Section B.3., as well as corrective actions that were taken to achieve compliance. These reports shall be submitted by January 30 of each year.
2. The permittee shall submit required reports in the following manner:
 - a. reports of any required monitoring and/or recordkeeping information shall be submitted to the Hamilton County Dept. of Env. Services; and,
 - b. except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Hamilton County Dept. of Env. Services. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly i.e., by January 30, April 30, July 30, and October 30 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06).

E. Compliance Methods/Testing Requirements

1. Compliance with the railcar loading rate limitation in Section B.3. of these Additional Special Terms and Conditions will be demonstrated by the records in Section C.1.

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2. The permittee shall conduct, or have conducted, emission testing for emissions unit F004 in accordance with the following requirements:
 - a. the emission testing shall be conducted no later than 60 days after beginning to load coal into railcars;
 - b. the emission testing shall be conducted to demonstrate compliance with the visible emission limitation;
 - c. the following test method shall be employed to demonstrate compliance with the visible emission limitation: Method 9 of 40 CFR Part 60, Appendix A;
 - d. the test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Hamilton County Department of Environmental Services;
 - e. not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Hamilton County Department of Environmental Services. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Hamilton County Department of Environmental Services refusal to accept the results of the emission test(s);
 - f. personnel from the Hamilton County Department of Environmental Services shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid

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characterization of the emissions from the emissions unit and/or the performance of the control equipment; and,

- g. a comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Hamilton County Department of Environmental Services within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Hamilton County Department of Environmental Services.

F. Miscellaneous Requirements

1. If probable cause exists indicating this emissions unit is causing or contributing to a nuisance in violation of Ohio Administrative Code rule 3745-15-07, the owner or operator of this emissions unit shall be required to submit and implement a control program which will bring this emissions unit into compliance.
2. At least 30 days prior to loading materials other than coal or raw iron products into railcars, this facility shall provide written notification to the Hamilton County Department of Environmental Services. Such notification shall include information, in an acceptable form, sufficient to determine that the emissions associated with the proposed change in materials will comply with the emission limits and or control requirements as outlined in this permit.