



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

12/18/2008

Certified Mail

Jerry or Barbara Mock
Walnut C&DD Facility LLC
2480 Leonard Avenue
Baltimore, OH 43105

No	TOXIC REVIEW
No	PSD
No	SYNTHETIC MINOR
No	CEMS
No	MACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED

RE: DRAFT AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 0123005001
Permit Number: P0103792
Permit Type: Initial Installation
County: Fairfield

Dear Permit Holder:

A draft of the Ohio Administrative Code (OAC) Chapter 3745-31 Air Pollution Permit-to-Install and Operate for the referenced facility has been issued for the emissions unit(s) listed in the Authorization section of the enclosed draft permit. This draft action is not an authorization to begin construction or modification of your emissions unit(s). The purpose of this draft is to solicit comments on the permit. A public notice will appear in the Ohio EPA Weekly Review and the local newspaper, Lancaster Eagle Gazette. A copy of the public notice and the draft permit are enclosed. This permit has been posted to the Division of Air Pollution Control 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 draft 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, Central District Office
50 West Town Street, 6th Floor
P.O. Box 1049
Columbus, OH 43216-1049

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 issuing a final permit-to-install and operate will be made after consideration of comments received and oral testimony if a public hearing is conducted. Any permit fee that will be due upon issuance of a final Permit-to-Install and Operate is indicated in the Authorization section. Please do not submit any payment now. If you have any questions, please contact Ohio EPA DAPC, Central District Office at (614)728-3778.

Sincerely,

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

Cc: U.S. EPA Region 5 *Via E-Mail Notification*
Ohio EPA-CDO; Kentucky

Ted Strickland, Governor
Lee Fisher, Lieutenant Governor
Chris Korleski, Director

PUBLIC NOTICE
Issuance of Draft Air Pollution Permit-To-Install and Operate
Walnut C&DD Facility LLC

Issue Date: 12/18/2008
Permit Number: P0103792
Permit Type: Initial Installation
Permit Description: C&DD landfill operations with unpaved roadways
Facility ID: 0123005001
Facility Location: Walnut C&DD Facility LLC
8585 Lancaster Newark Road,
Baltimore, OH 43105
Facility Description: Solid Waste Collection

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, federally enforceable permit-to-install and operate (PTIO) 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 Olen Ackman at Ohio EPA DAPC, Central District Office, 50 West Town Street, 6th Floor P.O. Box 1049 or (614)728-3778. The permit can be downloaded from the Web page: www.epa.state.oh.us/dapc



Permit Strategy Write-Up

1. **Purpose of Application** - Walnut C&DD Facility, LLC submitted application No. A0035807 on August 20, 2008 for the initial installation (construction and operation) of a construction and demolition debris (C&DD) landfill.

Hours of operation, according to the application, are expected to be 18 hours a day, 6 days a week, 52 weeks per year (312 days per year) for a total of 5,616 actual hours of operation per year, operating only during daylight hours. Per Ohio EPA Engineering Guide No. 61, seasonal operations or limited shifts [where physical conditions limit the operations (i.e., the operations can only occur during daylight hours)] are examples of inherent physical limitations which limit potential to emit (PTE).

According to the application, the facility is expecting to receive an average of 200 tons per day of construction and demolition debris. The facility has supplied an alternate density of 2000 pounds per cubic yard for the compacted debris for the purpose of calculating life and capacity of the landfill. The application states that this alternate density is based on densities of waste at other C&DD landfills. Based on this alternate density, the estimated final capacity of the landfill is calculated to be 3,340,000 tons of compacted waste. The application states that the unloading rate in terms of mass and volume of waste unloaded per year is 60,000 tons which is calculated to be 120,000 cubic yards per year, respectively, using a density of 1000 pounds per cubic yard. Mr. Mark Ruof, consultant for the facility, explained in a telephone conversation on November 7, 2008 that the density of 1000 pounds per cubic yard was used in this calculation because the waste is loose and therefore less dense than the waste compacted and the average daily tons of debris received, the landfill is expected to receive approximately 60,000 cubic yards per year of C&DD. The application states that no asbestos materials will be received at this landfill.

Application is made for the following emissions sources:

- Unpaved (dirt) roadways (0.6 mile of main and 0.5 mile of temporary access), and
- Landfill operations consisting of mobile equipment handling, unloading and placement of debris, loading and unloading and placement of cover, liner, and cap soils, and general landfill operations

2. Applicable Regulations

The following regulations are applicable to this facility:

OAC rule 3745-15-07 "Air Pollution Nuisances Prohibited" – This regulation states that the "emission or escape into the open air from any source or sources whatsoever, of smoke, ashes, dust, dirt, grime, acids, fumes, gases, vapors, odors, or any other substances or combinations of substances in such manner or in such amounts as to endanger the health, safety, or welfare of the public, or cause unreasonable injury or damage to property, is hereby found and declared to be a public nuisance." This regulation is applicable to both the unpaved roadways (F001) and the landfill operations (F002). Minimal, if any, odors are expected from this facility. Compliance with this rule is expected.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Permit Strategy Write-Up
Permit Number: P0103792
Facility ID: 0123005001

OAC rule 3745-17-07(B)(1) “Visible Particulate Emission Limitations for Fugitive Dust” – This regulation is applicable to the landfill operations. The regulation states that “visible particulate emissions from any fugitive dust source shall not exceed twenty percent opacity as a three-minute average.” The facility has stated in their application that they are committed to utilizing water sprays to minimize fugitive dust emissions. In addition, they state that they will minimize the drop height of unloaded materials when possible and cover dusty material loads. Compliance with this rule is expected.

OAC rule 3745-17-07(B)(5) “Control of Visible Emissions from Stationary Sources” – This regulation states that there “shall be no visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen minutes during any sixty-minute observation period.” This regulation is applicable to both the unpaved roadways (ID No. F001) and the landfill operations (F002). The applicant has stated in their application that they are committed to utilizing water sprays to minimize fugitive dust emissions. In addition, they state that they will cover dusty material loads and limit speed on roads to 15 miles an hour. Daily visual inspections of the unpaved roads and landfill operations will be required in order to determine the need for the control measures. The facility will be required to record the days that control measures were needed and the days that inspection were not performed due to weather conditions (rain, snow/ice, etc). In addition, the facility will be required to submit an annual permit evaluation (PER) report (as required by OAC rule 3745-15-03(D)) which will document any deviations from emission limitations and operational restrictions in the permit. With the use of the control measures, compliance with this rule is expected.

OAC rule 3745-31-05(F) “Voluntary Limits on Allowable Emissions” – This regulation states that a facility may apply for a PTIO to voluntarily limit the allowable emissions from sources or limit the type of air contaminants authorized to be emitted from the air sources. According to the application, this facility is voluntarily committing to using water sprays and other operational control practices, such as minimizing drop heights and tarping loads, to control their fugitive dust emissions even though 3745-31-05(A) and 3745-17-08(B) do not apply.

The following regulations are not applicable to this facility:

OAC rule 3745-20-05 – Standard for Asbestos Waste Handling – This regulation requires that all asbestos containing waste material (“regulated asbestos containing material (RACM) and/or friable) to be disposed in a NESHAP approved/permitted landfill. According to Ohio EPA’s website, “It is EPA’s position that, as applied to demolition and renovation, the term “asbestos containing waste material” applies to friable asbestos waste and not to nonfriable asbestos waste that has not been crumbled, pulverized, or reduced to powder. Therefore, the asbestos NESHAP regulations allow any asbestos containing materials generated from a NESHAP regulated source, and the asbestos containing material (ACM) is NOT RACM, that it can be disposed at any C&D or solid waste landfill which is permitted to accept this material AS LONG AS it remains in a nonfriable condition.” Therefore, a condition will be place in the permit allowing the facility to receive non-RACM, nonfriable asbestos waste that has not been crumbled , pulverized, or reduced to powder, along with other approved permit conditions that stipulate appropriate work practice standards for ensuring the proper handling and disposal of such material.

OAC rule 3745-31-05(A)(3) “Criteria for decision by the Director” – This regulation is not applicable to the sources located at this facility. As stated in (ii), “BAT is not required if the air contaminant source was installed or modified on or after August 3, 2006 and has the potential to emit taking into account air pollution controls installed on the source, less than ten tons per year of emissions of an air contaminant or precursor of an air contaminant for which a *national ambient air quality standard* has been adopted under the Clean Air Act.” The current national ambient air quality standard for particulate is PM₁₀ and



PM_{2.5}. Therefore; only the emissions from PM₁₀, not total PM will be considered in determining compliance with this rule. After-control (taking into account the water-spray) potential PM₁₀ emissions from the unpaved roadways and the landfill operations are calculated to be 2.98 (9.92 uncontrolled) and 0.94 (1.87 uncontrolled) tons per year, respectively. Therefore, BAT does not apply.

OAC rule 3745-17-08(B) "Restriction of Emission of Fugitive Dust" – This regulation states that “no person shall cause or permit any fugitive dust source to be operated...without taking or installing reasonably available control measures to prevent fugitive dust from becoming airborne.” This regulation is not applicable since the facility is not located in an area identified in Appendix A of the rule.

3. **NSPS/NESHAP/MACT/112r Applicability** – These federal regulations are not applicable to this facility.
4. **Synthetic Minor/Netting Determination** – Neither of these is applicable to this facility.
5. **PSD Applicability** – Prevention of Significant Deterioration is not applicable to this facility. Fairfield County is in attainment. Fairfield County is currently designated as nonattainment for PM_{2.5} and as a basic nonattainment area for ozone, although a request to EPA for redesignation to attainment with respect to the 8 hour ozone standard is pending.

6. **Emissions**

Roadways Emissions Calculations

The emission factor calculation for unpaved roadways in AP-42 section 13.2.2 (November 2006) shall be utilized to determine compliance. Initial compliance has been determined using inputs representing current conditions as follows:

$$E = \frac{[k(s/12)^a(W/3)^b[(365-p)/365]]}{(M/0.2)^c}$$

Where:

- E = size-specific emission factor (lb/VMT)
- s = silt content of road surface material (%) = 6.4%*
- W = mean vehicle weight (tons) = 30
- M = surface material moisture content (%) = 0.2%

For PM₃₀, a = 0.7 (dimension less constant)
 b = 0.45 (dimension less constant)
 k = 4.9 (dimension less constant) particle size multiplier

For PM₁₀, a = 0.9 (dimension less constant)
 b = 0.45 (dimension less constant)
 k = 1.5 (dimension less constant) particle size multiplier

c = not used for industrial roads
 p = 140 no. of rain days per year from Figure 13.2.2-1

Therefore, E = 5.13 lbs PM₃₀/VMT
 E = 1.40 lbs PM₁₀/VMT



State of Ohio Environmental Protection Agency
 Division of Air Pollution Control

Permit Strategy Write-Up
 Permit Number: P0103792
 Facility ID: 0123005001

Total Annual Miles= 70 vehicles/day * 0.6 miles/vehicle* 312 days/yr = 13104 miles/yr
 $EPM_{30} = 5.13 \text{ lb/VMT} * 13104 \text{ miles/yr} = 67224 \text{ lb/yr} = 33.61 \text{ tpy}$
 $EPM_{10} = 1.40 \text{ lb/VMT} * 13104 \text{ miles/yr} = 18346 \text{ lb/yr} = 9.17 \text{ tpy}$

With controls (water spray @ 70% efficiency):
 $EPM_{30} = 33.61 \text{ tpy} * (1 - 0.70) = 10.08 \text{ tpy}$
 $EPM_{10} = 9.17 \text{ tpy} * (1 - 0.70) = 2.75 \text{ tpy}$

See application for calculations on roads (earthmoving) which amounts to less than a ton per year of added actual PM_{10} emissions. See attached spreadsheet, as well.

Landfill Emissions Calculations

The emission factor calculation for material handling in AP-42 section 13.2.4 (November 2006) shall be utilized to determine compliance. Initial compliance has been determined using inputs representing current conditions as follows:

$$E = k (0.0032)[(U/5)^{1.3}/(M/2)^{1.4}]$$

Where:

- E = emission factor expressed in pounds (lbs) / ton
- k = particle size multiplier (dimension less) = 0.74 for PM_{30} , 0.35 for PM_{10}
- U = mean wind speed expressed in miles per hour (MPH) = 8.7
- M = material moisture content (%) = 3.0**

$E_{30} = 0.003 \text{ lbs/ton}$
 $E_{10} = 0.001 \text{ lbs/ton}$

The facility will unload 60,000 tons per year (tpy).
 $E_{30} = 60,000 \text{ tpy} * 0.003 \text{ lb/ton} = 180 \text{ lb/yr} = 0.09 \text{ tpy} * (1-0.50) = 0.05 \text{ tpy}$
 $E_{10} = 60,000 \text{ tpy} * 0.001 \text{ lb/ton} = 60 \text{ lb/yr} = 0.03 \text{ tpy} * (1-0.50) = 0.02 \text{ tpy}$

The facility estimates 84,000 tons of cover soil per year.
 $E_{30} = 84,000 \text{ tpy} * 0.003 \text{ lb/ton} = 252 \text{ lb/yr} = 0.13 \text{ tpy} * (1-0.50) = 0.09 \text{ tpy}$
 $E_{10} = 84,000 \text{ tpy} * 0.001 \text{ lb/ton} = 84 \text{ lb/yr} = 0.04 \text{ tpy} * (1-0.50) = 0.02 \text{ tpy}$

The facility estimates 42,000 tons of soil/debris to be spread/compacted. AP-42 section 13 recommends table 11.9-1 in section 11 to estimate emissions. Calculations estimate 400 hours of spreading/compacting.

$EPM_{30} = 5.7(s)^{1.2}/(10)^{1.3} = 27.5 \text{ lb/hr} * 400 = 11,000 \text{ lbs/yr} = 5.5 \text{ tpy}$
 $EPM_{10} = (1.0(s)^{1.5}/(u)^{1.4})/0.75 = 9.0 \text{ lb/hr} * 400 = 1.8 \text{ tpy}$

Where:

- s = average silt of materials being loaded
- u = moisture content

	Before-control maximum	Actual emissions ² (lb/hr)	Actual emissions ³ (tons/yr)	Requested Allowable ² (lb/hr)	Requested Allowable ³ (tons/yr)



State of Ohio Environmental Protection Agency
 Division of Air Pollution Control

Permit Strategy Write-Up
Permit Number: P0103792
Facility ID: 0123005001

		emissions ¹ (lb/hr))		
Unpaved roadways	PM	12.95	3.88	10.92	3.88	10.92
	PM ₁₀	3.54	1.06	2.98	1.06	2.98
Landfill operations	PM	2.03	1.02	2.87	1.02	2.87
	PM ₁₀	0.67	0.33	0.94	0.33	0.94
Facility-Wide Total	PM	14.98	4.9	13.79	4.9	13.79
	PM ₁₀	4.22	1.39	3.92	1.39	3.92

¹Before-control maximum potential emissions.

²After-control potential emissions.

³After-control potential emissions.

7. **Annual PER Report** - The applicant has chosen an annual Permit Evaluation Report (PER) due date of February 15.
8. **Application Fee** – The permit application fee for this application is \$200 per source; therefore, for both sources, the total fee for this permit is \$400.
9. **Conclusion** – Issuance of Permit No. P0103792 is recommended.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

DRAFT

Air Pollution Permit-to-Install and Operate
for
Walnut C&DD Facility LLC

Facility ID: 0123005001
Permit Number: P0103792
Permit Type: Initial Installation
Issued: 12/18/2008
Effective: To be entered upon final issuance
Expiration: To be entered upon final issuance



Air Pollution Permit-to-Install and Operate
for
Walnut C&DD Facility LLC

Contents

Authorization 1

A. Standard Terms and Conditions 3

 1. What does this permit-to-install and operate ("PTIO") allow me to do?..... 4

 2. Who is responsible for complying with this permit? 4

 3. What records must I keep under this permit? 4

 4. What are my permit fees and when do I pay them?..... 4

 5. When does my PTIO expire, and when do I need to submit my renewal application? 4

 6. What happens to this permit if my project is delayed or I do not install or modify my source? 5

 7. What reports must I submit under this permit? 5

 8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit? 5

 9. What are my obligations when I perform scheduled maintenance on air pollution control equipment?... 5

 10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report? 6

 11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located? 6

 12. What happens if one or more emissions units operated under this permit is/are shut down permanently? 6

 13. Can I transfer this permit to a new owner or operator? 6

 14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"? 7

 15. What happens if a portion of this permit is determined to be invalid? 7

B. Facility-Wide Terms and Conditions 8

C. Emissions Unit Terms and Conditions 10

 1. F001 11

 2. F002 14



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

Authorization

Facility ID: 0123005001

Application Number(s): A0035807

Permit Number: P0103792

Permit Description: C&DD landfill operations with unpaved roadways

Permit Type: Initial Installation

Permit Fee: \$400.00 *DO NOT send payment at this time - subject to change before final issuance*

Issue Date: 12/18/2008

Effective Date: To be entered upon final issuance

Expiration Date: To be entered upon final issuance

Permit Evaluation Report (PER) Annual Date: To be entered upon final issuance

This document constitutes issuance to:

Walnut C&DD Facility LLC
8585 Lancaster Newark Road
Baltimore, OH 43105

of a Permit-to-Install and Operate for the emissions unit(s) identified on the following page.

Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Central District Office
50 West Town Street, 6th Floor
P.O. Box 1049
Columbus, OH 43216-1049
(614)728-3778

The above named entity is hereby granted this Permit-to-Install and Operate for the air contaminant source(s) (emissions unit(s)) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the described emissions unit(s) will operate in compliance with applicable State and Federal laws and regulations.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

Authorization (continued)

Permit Number: P0103792

Permit Description: C&DD landfill operations with unpaved roadways

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Emissions Unit ID:	F001
Company Equipment ID:	F001
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

Emissions Unit ID:	F002
Company Equipment ID:	F002
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

A. Standard Terms and Conditions



1. What does this permit-to-install and operate ("PTIO") allow me to do?

This permit allows you to install and operate the emissions unit(s) identified in this PTIO. You must install and operate the unit(s) in accordance with the application you submitted and all the terms and conditions contained in this PTIO, including emission limits and those terms that ensure compliance with the emission limits (for example, operating, recordkeeping and monitoring requirements).

2. Who is responsible for complying with this permit?

The person identified on the "Authorization" page, above, is responsible for complying with this permit until the permit is revoked, terminated, or transferred. "Person" means a person, firm, corporation, association, or partnership. The words "you," "your," or "permittee" refer to the "person" identified on the "Authorization" page above.

The permit applies only to the emissions unit(s) identified in the permit. If you install or modify any other equipment that requires an air permit, you must apply for an additional PTIO(s) for these sources.

3. What records must I keep under this permit?

You must keep all records required by this permit, including monitoring data, test results, strip-chart recordings, calibration data, maintenance records, and any other record required by this permit for five years from the date the record was created. You can keep these records electronically, provided they can be made available to Ohio EPA during an inspection at the facility. Failure to make requested records available to Ohio EPA upon request is a violation of this permit requirement.

4. What are my permit fees and when do I pay them?

There are two fees associated with permitted air contaminant sources in Ohio:

- PTIO fee. This one-time fee is based on a fee schedule in accordance with Ohio Revised Code (ORC) section 3745.11, or based on a time and materials charge for permit application review and permit processing if required by the Director.

You will be sent an invoice for this fee after you receive this PTIO and payment is due within 30 days of the invoice date. You are required to pay the fee for this PTIO even if you do not install or modify your operations as authorized by this permit.

- Annual emissions fee. Ohio EPA will assess a separate fee based on the total annual emissions from your facility. You self-report your emissions in accordance with Ohio Administrative Code (OAC) Chapter 3745-78. This fee assessed is based on a fee schedule in ORC section 3745.11 and funds Ohio EPA's permit compliance oversight activities. For facilities that are permitted as synthetic minor sources, the fee schedule is adjusted annually for inflation. Ohio EPA will notify you when it is time to report your emissions and to pay your annual emission fees.

5. When does my PTIO expire, and when do I need to submit my renewal application?

This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a renewal notice to you approximately six months prior to the expiration date of this permit. However, it is



very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

If a complete renewal application is submitted before the expiration date, Ohio EPA considers this a timely application for purposes of ORC section 119.06, and you are authorized to continue operating the emissions unit(s) covered by this permit beyond the expiration date of this permit until final action is taken by Ohio EPA on the renewal application.

6. What happens to this permit if my project is delayed or I do not install or modify my source?

This PTIO expires 18 months after the issue date identified on the "Authorization" page above unless otherwise specified if you have not (1) started constructing the new or modified emission sources identified in this permit, or (2) entered into a binding contract to undertake such construction. This deadline can be extended by up to 12 months, provided you apply to Ohio EPA for this extension within a reasonable time before the 18-month period has ended and you can show good cause for any such extension.

7. What reports must I submit under this permit?

An annual permit evaluation report (PER) is required in addition to any malfunction reporting required by OAC rule 3745-15-06 or other specific rule-based reporting requirement identified in this permit. Your PER due date is identified in the Authorization section of this permit.

8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit?

If you are required to obtain a Title V permit under OAC Chapter 3745-77 in the future, the permit-to-operate portion of this permit will be superseded by the issued Title V permit. From the effective date of the Title V permit forward, this PTIO will effectively become a PTI (permit-to-install) in accordance with OAC rule 3745-31-02(B). The following terms and conditions will no longer be applicable after issuance of the Title V permit: Section B, Term 1.b) and Section C, for each emissions unit, Term a)(2).

The PER requirements in this permit remain effective until the date the Title V permit is issued and is effective, and cease to apply after the effective date of the Title V permit. The final PER obligation will cover operations up to the effective date of the Title V permit and must be submitted on or before the submission deadline identified in this permit on the last day prior to the effective date of the Title V permit.

9. What are my obligations when I perform scheduled maintenance on air pollution control equipment?

You must perform scheduled maintenance of air pollution control equipment in accordance with OAC rule 3745-15-06(A). If scheduled maintenance requires shutting down or bypassing any air pollution control equipment, you must also shut down the emissions unit(s) served by the air pollution control equipment during maintenance, unless the conditions of OAC rule 3745-15-06(A)(3) are met. Any emissions that exceed permitted amount(s) under this permit (unless specifically exempted by rule) must be reported as deviations in the annual permit evaluation report (PER), including nonexempt excess emissions that occur during approved scheduled maintenance.



10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?

If you have a reportable malfunction of any emissions unit(s) or any associated air pollution control system, you must report this to the Ohio EPA DAPC, Central District Office in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

If you have a malfunction, but determine that it is not a reportable malfunction under OAC rule 3745-15-06(B), it is recommended that you maintain records associated with control equipment breakdown or process upsets. Although it is not a requirement of this permit, Ohio EPA recommends that you maintain records for non-reportable malfunctions.

11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located?

Yes. Under Ohio law, the Director or his authorized representative may inspect the facility, conduct tests, examine records or reports to determine compliance with air pollution laws and regulations and the terms and conditions of this permit. You must provide, within a reasonable time, any information Ohio EPA requests either verbally or in writing.

12. What happens if one or more emissions units operated under this permit is/are shut down permanently?

Ohio EPA can terminate the permit terms associated with any permanently shut down emissions unit. "Shut down" means the emissions unit 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.

You should notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification that identifies the date on which the emissions unit was permanently shut down. The certification must be submitted by an authorized official from the facility. You cannot continue to operate an emission unit once the certification has been submitted to Ohio EPA by the authorized official.

You must comply with all recordkeeping and reporting for any permanently shut down emissions unit in accordance with the provisions of the permit, regulations or laws that were enforceable during the period of operation, such as the requirement to submit a PER, air fee emission report, or malfunction report. You must also keep all records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, for at least five years from the date the record was generated.

Again, you cannot resume operation of any emissions unit certified by the authorized official as being permanently shut down without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

13. Can I transfer this permit to a new owner or operator?

You can transfer this permit to a new owner or operator. If you transfer the permit, you must follow the procedures in OAC Chapter 3745-31, including notifying Ohio EPA or the local air agency of the change in ownership or operator. Any transferee of this permit must assume the responsibilities of the transferor permit holder.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"?

This permit and OAC rule 3745-15-07 prohibit operation of the air contaminant source(s) regulated under this permit in a manner that causes a nuisance. Ohio EPA can require additional controls or modification of the requirements of this permit through enforcement orders or judicial enforcement action if, upon investigation, Ohio EPA determines existing operations are causing a nuisance.

15. What happens if a portion of this permit is determined to be invalid?

If a portion of this permit is determined to be invalid, the remainder of the terms and conditions remain valid and enforceable. The exception is where the enforceability of terms and conditions are dependent on the term or condition that was declared invalid.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

B. Facility-Wide Terms and Conditions



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).
 - a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.
 - (1) None.
 - b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.
 - (1) None.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

C. Emissions Unit Terms and Conditions



1. F001

Operations, Property and/or Equipment Description:

Unpaved Roadways (F001)

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. 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 3745-17-07(B)(5)	No visible emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen minutes during any sixty minute observation period
b.	OAC rule 3745-31-05(F) Voluntary Restriction to avoid BAT	See Section C.1.c)(2) through C.1.c)(7)

c) Additional Terms and Conditions

(1) There shall be no visible particulate emissions from the unpaved roadways and/or parking areas except for a period of time not to exceed 13 minutes during any 60-minute observation period. If any unpaved roadway and/or parking area (or any portion of them) is or becomes paved, such paved areas shall be subject to a limitation of no visible particulate emissions except for a period of time not to exceed six minutes during any 60-minute observation period.

(2) In accordance with the Permittee's permit application the Permittee has committed to treat the unpaved roadways and parking areas with water at a sufficient treatment frequency to ensure compliance with the above applicable emission limit. Nothing in this



paragraph shall prohibit the Permittee from employing other control measures to ensure compliance.

- (3) 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 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.
 - (4) 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.
 - (5) 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.
 - (6) Application of waste oil as a dust suppressant is prohibited.
 - (7) The Permittee shall maintain a speed restriction of 15 miles per hour for all unpaved roads.
- d) Operational Restrictions
- (1) None.
- e) Monitoring and/or Recordkeeping Requirements
- (1) Except as otherwise provided in this section, the Permittee shall perform daily inspections of all unpaved roadways and parking areas for the purpose of determining the need for implementing the above-mentioned control measures.
 - (2) 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-mentioned events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
 - (3) The Permittee may, upon request or written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above mentioned applicable requirements.



- (4) The Permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, 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 (4)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

f) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the Permittee at the end of the reporting period specified in the Authorization section of this permit. The Permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.

[OAC rule 3745-15-03(B)(2)] and [OAC rule 3745-15-03(D)]

g) Testing Requirements

- (1) Emission Limitation

No visible emissions from any unpaved roadway or parking area except for a period of time not to exceed thirteen minutes during any sixty minute observation period

- (2) Applicable Compliance Method

If required, compliance with the visible emission limitation listed 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").



2. F002

Operations, Property and/or Equipment Description:

Construction and demolition debris (C&DD) landfill operations (F002) including the unloading of C&DD, the loading and unloading of soil cover, the spreading and placement of the C&DD and soil cover and the addition of the clay liner and cap system

This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. 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 3745-17-07(B)(1)	Visible emissions shall not exceed 20 percent opacity as a three-minute average.
b.	OAC rule 3745-31-05(F) Voluntary Restriction to avoid BAT	See Section C.2.c)(1) through C.2.c)(6)

c) Additional Terms and Conditions

(1) All vehicles hauling construction and demolition (C & D) materials shall be closed, covered or tarped when coming to or leaving the facility in order to minimize or eliminate visible emissions of fugitive dust and to eliminate load loss.

[OAC rule 3745-31-05(F)]

(2) The Permittee shall ensure C & D materials are deposited, spread and compacted in such a manner as to minimize or prevent visible emissions of fugitive dust.

a. When dumping C & D materials, the Permittee shall implement the following procedures:



- i. any loads which appear to contain dusty C & D materials shall be watered prior to dumping of the load;
 - ii. no dusty C & D materials shall be dumped during periods of high wind speed, unless they have been treated to prevent them from becoming airborne;
 - iii. the Permittee shall ensure that all truckloads of C & D materials are unloaded in a manner which will minimize the drop height of the C & D materials and are dumped as near to the point of final placement as possible; and
 - iv. during the dumping of any load of C & D materials, in which dusty C & D materials become airborne, the C & D materials shall be watered as necessary to minimize or eliminate visible emissions of fugitive dust.
- b. When handling and stockpiling C & D materials and/or cover materials, the Permittee shall implement the following procedures:
- i. any dusty C & D materials to be stored prior to disposal, shall be watered, as necessary, or have a temporary soil cover;
 - ii. all exposed C & D materials shall be covered with cover materials by the end of each week=s operation;
 - iii. to minimize handling of the C & D materials, spreading and compacting shall occur in one operation;
 - iv. the Permittee shall minimize the handling and the stockpiling of cover materials, except for top soil;
 - v. unvegetated cover materials and soil in the waste disposal area must be periodically wetted with water and shall be handled in such a manner as to minimize or eliminate visible emissions of fugitive dust;
 - vi. the frequency and amounts of water applications will depend on weather conditions, cover material conditions, and soil conditions;
 - vii. a record of water applications required by these terms and conditions shall be maintained at the facility site for a period of not less than three years and shall be made available to the Director, or any authorized representative of the Director, for review during normal business hours; and
 - viii. the visible emissions of fugitive dust from C & D material handling and covering operations described in these terms and conditions shall not exceed twenty percent (20%) opacity as a three-minute average, determined using U.S. EPA Method 9 as specified in OAC rule 3745-17-03(B).

[OAC rule 3745-17-07] and [OAC rule 3745-31-05(F)]



- (3) Under Substitute Amended House Bill 397 (Sub. Am. H.B. 397), effective December 22, 2005, Ohio EPA is required to develop rules governing the operation of construction and demolition (C & D) landfills. Sub. Am. H.B. 397 authorizes the Director of Ohio EPA to adopt rules requiring contingency plans for effective action in response to hydrogen sulfide or other gases created by the operation of a C & D facility. Because these rules are not yet written, Ohio EPA has not placed terms and conditions detailing the contingency plan requirements in this permit. However, Ohio EPA believes it is important to have in place a contingency plan to deal with potential hydrogen sulfide/other gas emissions from C & D facilities. Therefore, as a condition of this permit, the Permittee is required to develop and implement a hydrogen sulfide/other gas emission contingency plan by the dates required for sources in the C & D rules developed in response to Sub. Am. H.B. 397.

[Substitute Amended House Bill 397]

- (4) 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)]

- (5) 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)]

- (6) Deposition and burial operations of any suspected non-regulated asbestos-containing waste or demolition debris shall be conducted in a manner that prevents any asbestos content from being broken up or dispersed before such materials are buried.

[OAC rule 3745-31-05(F)]

- (7) The facility cannot accept for disposal any regulated asbestos-containing material 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. Regulated asbestos-containing material is defined to include:

- a. friable asbestos material;
- b. Category I nonfriable asbestos-containing material that has become friable;
- c. Category I nonfriable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or
- d. Category II nonfriable 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.



The Permittee shall be limited to accepting only non-regulated asbestos-containing waste materials. The Permittee shall ensure that any Category I nonfriable asbestos-containing waste materials accepted for disposal will not be subjected to sanding, grinding, cutting, or abrading and shall not become friable during processing at the landfill; and shall ensure that Category II nonfriable asbestos-containing waste materials accepted for disposal do not become crumbled, pulverized, or reduced to powder by the forces expected to act on the material during its handling, transfer, and burial at the landfill. Any nonfriable Category I or Category II asbestos-containing material that was generated from a NESHAP source and which becomes friable, also becomes subject to the Asbestos NESHAP regulations. If any regulated asbestos-containing waste material arrives at the landfill it cannot be accepted for disposal; and if any non-regulated asbestos-containing material becomes friable after it is accepted for disposal the Permittee shall:

- e. 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;
- f. assure that deposition and burial operations are 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;
- g. cover the asbestos-containing waste material with at least twelve inches of nonasbestos-containing material, as soon as practicable after deposition, but no later than at the end of the operating day; and
- h. 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 61.140], [40 CFR 61.154], [OAC rule 3745-20-02], and [OAC rule 3745-20-06]

- (8) Application of waste oil as a dust suppressant is prohibited.
- (9) There shall be no open burning in violation of OAC 3745-19 at this facility.
[OAC rule 3745-19]
- (10) The Permittee shall be limited to accepting only C&DD waste materials as defined in Ohio Revised Code 3714.01(C), except as provided by Ohio Revised Code 3714.021.
- (11) The facility shall be limited to accepting no more than 60,000 tons of C&DD waste materials per calendar year.
[OAC rule 3745-31-05(F)]

d) Operational Restrictions

- (1) None.



e) Monitoring and/or Recordkeeping Requirements

(1) 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 eliminate the visible emissions.

[OAC rule 3745-17-07(B)]

(2) 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.

[OAC rule 3745-17-07]

(3) The Permittee shall record the amount of C&DD waste deposited on a daily, monthly, and annual basis. This record shall detail the volume in yards or the amount in tons. Off-site records may be maintained if they are retrievable within four hours. Either paper or electronic formats are acceptable.

f) Reporting Requirements

(1) Annual Permit Evaluation Report (PER) forms will be mailed to the Permittee at the end of the reporting period specified in the Authorization section of this permit. The Permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.

[OAC rule 3745-15-03(B)(2)] and [OAC rule 3745-15-03(D)]

g) Testing Requirements

(1) Emission Limitation

Visible emissions of non-asbestos fugitive dust (load-in and wind erosion) from this emissions unit shall not exceed 20 percent opacity as a three-minute average.

[OAC rule 3745-17-07(B)]



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Draft Permit-to-Install and Operate

Permit Number: P0103792

Facility ID: 0123005001

Effective Date: To be entered upon final issuance

(2) 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 3745-17-03(B)(3)] and [OAC rule 3745-17-07(B)(1)]

h) Miscellaneous Requirements

(1) None.