State of Ohio Environmental Protection Agency

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2/6/2009

JEFFREY GERBER
BARR LABORATORIES, INC.
225 SUMMIT AVE
MONTVALE, NJ 07645

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 1431072038
Permit Number: P0104380
Permit Type: Administrative Modification
County: Hamilton

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install and Operate ("PTIO") which will allow you to install, modify, and/or operate the described emissions unit(s) in the manner indicated in the permit. Because this permit contains conditions and restrictions, please read it very carefully.

Ohio EPA maintains a document entitled "Frequently Asked Questions about the PTIO". The document can be downloaded from the DAPC Web page, www.epa.state.oh.us/dapc, from the "Permits" link. This document contains additional information related to your permit, such as what activities are covered under the PTIO, who has enforcement authority over the permit and Ohio EPA's authorization to inspect your facility and records. Please contact the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469 if you need assistance.

The issuance of this PTIO is a final action of the Director and may be appealed to the Environmental Review Appeals Commission ("ERAC") under Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and describe the action complained of and the grounds for the appeal. The appeal must be filed with the ERAC within thirty (30) days after notice of the Director's action. A filing fee of $70.00 must be submitted to the ERAC with the appeal, although the ERAC, has discretion to reduce the amount of the filing fee if you can demonstrate (by affidavit) that payment of the full amount of the fee would cause extreme hardship. If you file an appeal of this action, you must notify Ohio EPA of the filing of the appeal (by providing a copy to the Director) within three (3) days of filing your appeal with the ERAC. Ohio EPA requests that a copy of the appeal also be provided to the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the ERAC at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, OH 43215

If you have any questions regarding this permit, please contact the Hamilton County Dept. of Environmental Services. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page www.epa.state.oh.us/dapc.

Sincerely,

Michael W. Ahern

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

Cc: HCDOES

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

FINAL

Air Pollution Permit-to-Install and Operate
for
BARR LABORATORIES, INC.

Facility ID: 1431072038
Permit Number: P0104380
Permit Type: Administrative Modification
Issued: 2/6/2009
Effective: 2/6/2009
Expiration: 12/29/2013

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Air Pollution Permit-to-Install and Operate
for
BARR LABORATORIES, INC.

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Authorization

Facility ID: 1431072038
Application Number(s): M0000369
Permit Number: P0104380
Permit Description: Administrative Mod to PTIO issued 12/29/08 for P007: Incorporates ST&C's of PTI 14-05986
Permit Type: Administrative Modification
Permit Fee: $0.00
Issue Date: 2/6/2009
Effective Date: 2/6/2009
Expiration Date: 12/29/2013
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

BARR LABORATORIES, INC.
5040 LESTER RD.
CINCINNATI, OH 45213

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:

Hamilton County Dept. of Environmental Services
250 William Howard Taft Pkwy.
Cincinnati, OH 45219-2660
(513)946-7777

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

Authorization (continued)

Permit Number: P0104380
Permit Description: Administrative Mod to PTIO issued 12/29/08 for P007: Incorporates ST&C's of PTI 14-05986

Permits for the following emissions unit(s) or groups of emissions units are in this document as indicated below:

Emissions Unit ID:	**P007**
Company Equipment ID:	Niro Fluid Bed Granulator
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

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 Hamilton County Dept. of Environmental Services 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.

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.

B. Facility-Wide Terms and Conditions

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.

C. Emissions Unit Terms and Conditions

1. **P007, Niro Fluid Bed Granulator**

Operations, Property and/or Equipment Description:

Fluidized Bed Granulator with HEPA filter and packed tower scrubber (Niro)

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. b)(1)f., d)(4), d)(5), d)(7),.

(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. b)(1)b., b)(2)g., c)(1), d)(3), d)(8), e)(2), e)(3).

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)	Organic Compound (OC) emissions shall not exceed 33.0 lbs/hour. Particulate Emissions (PE) and Emissions of Particulate Matter 10 microns or less in diameter (PM10) shall not exceed 0.02 lb/hour and 0.09 ton per year. See b)(2)b., b)(2)c., b)(2)d., b)(2)e., and c)(1) and c)(2). The requirements for this rule also include compliance with the requirements of OAC rule 3745-31-05(D).
b.	OAC rule 3745-31-05(D) Synthetic minor to avoid non-attainment new source review and Title V permitting	OC emissions shall not exceed 26.4 tons per year (TPY) as a rolling 12 month summation. See b)(2)g.
c.	OAC rule 3745-17-07(A)(1)	The emission limitation specified by this

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05 (A)(3).
d.	OAC rule 3745-17-11	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05 (A)(3).
e.	OAC rule 3745-21-07(G)	The emission limitation specified by this rule is less stringent than the emission limit established pursuant to OAC rule 3745-31-05 (A)(3)
f.	ORC 3704.03(F)(4)(c)	See d)(4), d)(5), d)(6) and d)(7).

(2) Additional Terms and Conditions

a. Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of HEPA filter and packed-bed scrubber, an operating hours limitation and compliance with the visible and mass emissions limitations.

b. The permittee shall control the OC emissions from this emissions unit by use of a packed-bed scrubber capable of maintaining a minimum overall OC control efficiency of 90% by weight.

c. Visible particulate emissions from this emissions unit shall not exceed 10% opacity, as a six minute average.

d. Based upon OAC rule 3745-17-11, the potential to emit for PE for this emissions unit is over 10 tons per year, therefore pursuant to SB265, this emissions unit is subject to OAC rule 3745-31-05(A)(3) for PE.

e. The uncontrolled potential to emit particulate matter emissions less than 10 microns or less in diameter (PM10) from this air contaminant source is over 10 tons per year and therefore pursuant to SB265 this air contaminant source is subject to OAC rule 3745-31-05(A)(3) for PM10.

f. The hourly emissions limitations outlined above are based on the emissions unit=s potential to emit (PTE) and the use of the specified control devices identified in b)(2)a. Therefore, no records are required to demonstrate compliance with these limits.

g. The actual emissions of Hazardous Air Pollutants (HAPs) as identified in Section 112(b) of Title III of the Clean Air Act from emissions units P006 (Glatt Fluid Bed Granulator) and P007 (Niro Fluid Bed Granulator) at this facility shall not exceed 9.9 TPY for any single HAP and 24.9 TPY for any combination of HAPs. Compliance with the above limitations shall be based on a rolling, 12-month summation.

The permittee has existing records to demonstrate compliance with the limitations in b)(2)g. upon permit issuance.

h. The requirements established under OAC rule 3745-21-07 shall cease to be effective and federally enforceable on the date the U.S. EPA approves the current rule as a revision to the Ohio SIP for the control of organic compounds.

c) Operational Restrictions

(1) The spraying of organic liquids in this emission unit shall not exceed 1600 hours per year, as a rolling, 12-month summation. The permittee has records to demonstrate compliance with this limitation upon issuance of this permit.

(2) The organic liquid usage rate in this emissions unit shall not exceed 330 pounds per hour.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall properly install, operate and maintain equipment to continuously monitor the scrubber water supply pressure and scrubber water flow rate during operation of this emissions unit, including periods of startup and shutdown. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer=s recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop in inches of water, across the scrubber on a daily basis.

Whenever the monitored values deviate from the range specified below, the permittee shall promptly investigate the cause of the deviation. The permittee shall maintain records of the following information for each investigation: the date and time the deviation began and the magnitude of the deviation at that time, the date(s) the investigation was conducted, the names of the personnel who conducted the investigation, and the findings and recommendations. In response to each required investigation to determine the cause of a deviation, the permittee shall take prompt corrective action to bring the operation of the control equipment within the acceptable range specified below, unless the permittee determines that corrective action is not necessary and documents the reasons for that determination and the date and time the deviation ended. The permittee shall maintain records of the following information for each corrective action taken: a description of the corrective action, the date it was completed, the date and time the deviation ended, the total period of time (in minutes) during which there was a deviation, the scrubber water supply pressure and scrubber water flow rate readings immediately after the corrective action, and the names of the personnel who performed the work. Investigation and records required by this paragraph does not eliminate the need to comply with the requirements of OAC rule 3745-15-06 if it is determined that a malfunction has occurred.

To ensure the scrubber is operated according to the manufacturer=s specifications and to maintain compliance with the allowable emission rate, the scrubber water supply pressure and scrubber water flow rate shall be maintained at a value not less than that established during the most recent emission test that demonstrated compliance while the emissions unit is in operation.

This range is effective for the duration of this permit, unless revisions are requested by the permittee and approved in writing by the appropriate Ohio EPA District Office or local air agency. The permittee may request revisions to the range(s) based upon information obtained during future organic compound emission tests that demonstrate compliance

with the allowable emission rate for this emissions unit. In addition, approved revisions to the range(s) will not constitute a relaxation of the monitoring requirements of this permit and may be incorporated into this permit by means of an administrative modification

(2) The permittee shall collect and record the following information each day for each batch using organic liquids:

a. Date the batch was produced.

b. The total OC usage (amount of organic liquids used) in pounds per batch.

c. The duration of the spraying time of the batch, in hours.

d. The calculated hourly OC usage rate (b/c).

(3) The permittee shall collect and record the following information each month for this emissions unit:

a. The duration of the spraying time of the batch, in hours.

b. The OC emissions calculated as follows:

Monthly OC emissions (lbs/month) = total solvent sprayed during a month (pounds) x (1 - the control efficiency determined during the most recent performance test).

c. The updated rolling, 12-month summation of the hours spraying organic liquids. This shall include the information for the current month and the preceding eleven calender months.

d. The updated rolling, 12-month summation of the OC emissions. This shall include the information for the current month and the preceding eleven calender months.

These records shall be summarized at the end of each calendar year to determine the annual OC emissions.

(4) The FEPTIO application for this emissions unit, P007, was evaluated based on the actual materials and the design parameters of the emissions unit's(s') exhaust system, as specified by the permittee. The AToxic Air Contaminant Statute@, ORC 3704.03(F), was applied to this/these emissions unit(s) for each toxic air contaminant listed in OAC rule 3745-114-01, using data from the permit application; and modeling was performed for each toxic air contaminant(s) emitted at over one ton per year using an air dispersion model such as SCREEN3, AERMOD, or ISCST3, or other Ohio EPA approved model. The predicted 1-hour maximum ground-level concentration result(s) from the approved air dispersion model, was compared to the Maximum Acceptable Ground-Level Concentration (MAGLC), calculated as described in the Ohio EPA guidance document entitled AReview of New Sources of Air Toxic Emissions, Option A@, as follows:

a. the exposure limit, expressed as a time-weighted average concentration for a conventional 8-hour workday and a 40-hour workweek, for each toxic

compound(s) emitted from the emissions unit(s), (as determined from the raw materials processed and/or coatings or other materials applied) has been documented from one of the following sources and in the following order of preference (TLV was and shall be used, if the chemical is listed):

i. threshold limit value (TLV) from the American Conference of Governmental Industrial Hygienists= (ACGIH) AThreshold Limit Values for Chemical Substances and Physical Agents Biological Exposure Indices@; or

ii. STEL (short term exposure limit) or the ceiling value from the American Conference of Governmental Industrial Hygienists= (ACGIH) AThreshold Limit Values for Chemical Substances and Physical Agents Biological Exposure Indices@; the STEL or ceiling value is multiplied by 0.737 to convert the 15-minute exposure limit to an equivalent 8-hour TLV.

b. The TLV is divided by ten to adjust the standard from the working population to the general public (TLV/10).

c. This standard is/was then adjusted to account for the duration of the exposure or the operating hours of the emissions unit(s), i.e., A24@ hours per day and A7@ days per week, from that of 8 hours per day and 5 days per week. The resulting calculation was (and shall be) used to determine the Maximum Acceptable Ground-Level Concentration (MAGLC):

TLV/10 x 8/24 x 5/7 = 4 TLV/XY = MAGLC

d. The following summarizes the results of dispersion modeling for the significant toxic contaminants (emitted at 1 or more tons/year) or Aworst case@ toxic contaminant(s):

Toxic Contaminant: Methanol

TLV (mg/m3): 262

Maximum Hourly Emission Rate (lbs/hr): 1.65

Predicted 1-Hour Maximum Ground-Level Concentration (ug/m3): 165.3

MAGLC (ug/m3): 6240

e. The permittee, has demonstrated that emissions of methanol, from emissions unit P007, is calculated to be less than eighty per cent of the maximum acceptable ground level concentration (MAGLC); any new raw material or processing agent shall not be applied without evaluating each component toxic air contaminant in accordance with the AToxic Air Contaminant Statute@, ORC 3704.03(F).

(5) Prior to making any physical changes to or changes in the method of operation of the emissions unit(s), that could impact the parameters or values that were used in the predicted 1-hour maximum ground-level concentration@, the permittee shall re-model the change(s) to demonstrate that the MAGLC has not been exceeded. Changes that can

affect the parameters/values used in determining the 1-hour maximum ground-level concentration include, but are not limited to, the following:

a. changes in the composition of the materials used or the use of new materials, that would result in the emission of a new toxic air contaminant with a lower Threshold Limit Value (TLV) than the lowest TLV previously modeled;

b. changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any toxic air contaminant listed in OAC rule 3745-114-01, that was modeled from the initial (or last) application; and

c. physical changes to the emissions unit(s) or its/their exhaust parameters (e.g., increased/ decreased exhaust flow, changes in stack height, changes in stack diameter, etc.).

If the permittee determines that the AToxic Air Contaminant Statute@ will be satisfied for the above changes, the Ohio EPA will not consider the change(s) to be a "modification" under OAC rule 3745-31-01 solely due to a non-restrictive change to a parameter or process operation, where compliance with the AToxic Air Contaminant Statute@, ORC 3704.03(F), has been documented. If the change(s) meet(s) the definition of a “modification”, the permittee shall apply for and obtain a final PTI, PTIO, or FEPTIO (as applicable) prior to the change. The Director may consider any significant departure from the operations of the emissions unit, described in the permit application, as a modification that results in greater emissions than the emissions rate modeled to determine the ground level concentration; and he/she may require the permittee to submit a permit application for the increased emissions.

(6) The permittee shall collect, record, and retain the following information for each toxic evaluation conducted to determine compliance with the AToxic Air Contaminant Statute@, ORC 3704.03(F):

a. a description of the parameters/values used in each compliance demonstration and the parameters or values changed for any re-evaluation of the toxic(s) modeled (the composition of materials, new toxic contaminants emitted, change in stack/exhaust parameters, etc.);

b. the Maximum Acceptable Ground-Level Concentration (MAGLC) for each significant toxic contaminant or worst-case contaminant, calculated in accordance with the AToxic Air Contaminant Statute@, ORC 3704.03(F);

c. a copy of the computer model run(s), that established the predicted 1-hour maximum ground-level concentration that demonstrated the emissions unit(s) to be in compliance with the AToxic Air Contaminant Statute@, ORC 3704.03(F), initially and for each change that requires re-evaluation of the toxic air contaminant emissions; and

d. the documentation of the initial evaluation of compliance with the AToxic Air Contaminant Statute@, ORC 3704.03(F), and documentation of any determination that was conducted to re-evaluate compliance due to a change made to the emissions unit(s) or the materials applied.

(7) The permittee shall maintain a record of any change made to a parameter or value used in the dispersion model, used to demonstrate compliance with the AToxic Air Contaminant Statute@, ORC 3704.03(F), through the predicted 1-hour maximum ground-level concentration. The record shall include the date and reason(s) for the change and if the change would increase the ground-level concentration.

(8) The permittee shall collect and record the following information each month for emissions units P006 (Glatt Fluid Bed Granulator) and P007 (Niro Fluid Bed Granulator):

a. The name and company I.D. for each product manufactured.

b. The total number of batches produced of each product.

c. The individual Hazardous Air Pollutant (HAP)*** content for each HAP of each product in pounds of individual HAP per batch of product.

d. The total combined HAP content of each product in pounds of combined HAPs per batch of product [sum all individual HAP contents from (c)].

e. The total individual HAP emissions for each HAP from all products in pounds per month, calculated as follows:

i. b. H c. H (100% - 90%) for methanol

ii. b. H c. H (100% - 99%) for chloroform

f. If individual HAPs other than methanol and chloroform are employed in this emissions unit, total individual HAP emissions for each HAP from all products, in pounds per month, calculated as follows:

i. b. H c. H (100% - control efficiency)

where the value for the control efficiency is based on measurements or calculations with written approval from Hamilton County Department of Environmental Services.

g. The total combined HAP emissions from all products, in pounds per month, calculated as the sum of d)(8)e.i. + d)(8)e.ii. + additional records identified in d)(8)f.

h. The updated rolling, 12-month summation of emissions for each individual HAP, in pounds or tons. This shall include the information for the current month and the preceding eleven calendar months.

i. The updated rolling, 12-month summation of emissions for total combined HAP, in pounds or tons. This shall include the information for the current month and the preceding eleven calendar months.

*** A listing of the HAPs can be found in Section 112(b) of the Clean Air Act or can be obtained by contacting your Hamilton County Department of Environmental Services contact.

e) 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.

(2) The permittee shall notify the Hamilton County Department of Environmental Services of any exceedance of the rolling, 12-month hours of operation limitation set forth in term and condition B.1 and the rolling, 12-month OC emissions limitation set forth in term and condition A.1. The reports shall be submitted to the Director (the Hamilton County Department of Environmental Services) by January 31, April 30, July 31 and October 31 of each year and shall cover the previous three calendar months (October through December, January through March, April through June and July through September, respectively.)

If no exceedances occurred, the permittee shall state so in the report.

(3) The permittee shall submit quarterly deviation reports which identify any exceedance of the HAP emission limitations set forth in b)(2)g.

f) Testing Requirements

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

a. Emissions limitation:

Visible particulate emissions from any stack shall not exceed 10 percent opacity, as a 6-minute average.

Applicable Compliance Method:

Compliance with the visible particulate emission limitation shall be demonstrated by the methods outlined in 40 CFR Part 60, Appendix A, Method 9

b. Emissions limitations:

0.02 lb of PE/PM10/hour and 0.09 ton per year of PE/PM10.

Applicable Compliance Method:

Compliance shall be determined utilizing the total dry material maximum throughput (2300 lbs/hr) multiplied by the maximum loss factor (0.025) times 1 minus the minimum HEPA control efficiency of 99.97%, as provided in permit to install application 14-05986 received on September 21, 2007. The annual emission rate shall be determined by multiplying the hourly emission rate by 8760 hours per year and dividing by 2000 lbs/ton. All PE is assumed to be PM10 emissions.

c. Emissions limitation :

33.0 lbs of OC/hour.

Applicable Compliance Method:

Compliance shall be demonstrated by utilizing the recorded OC usage (lbs/batch) divided by the batch spraying time duration (hours) multiplied by 1 minus the control efficiency for OC (percent), as determined by the latest scrubber OC control efficiency test.

d. Emissions limitation:

26.4 TPY OC as a rolling 12 month summation of the monthly OC emissions.

Applicable Compliance Method:

Compliance shall be determined by the record keeping in d)(3).

(2) Compliance with the requirement to maintain a minimum overall OC control efficiency of 90% by weight at the scrubber, per b)(2)b., shall be demonstrated by the latest scrubber OC control efficiency test and compliance with the scrubber operating requirements in d)(1).

(3) Compliance with the organic liquid spraying limitation in term and condition c)(1) shall be demonstrated by the record keeping in term and condition d)(2).

(4) Compliance with the organic liquid usage limitation in term and condition c)(2) shall be demonstrated by the record keeping in term and condition d)(2).

(5) Formulation data or USEPA method 24 or 24A shall be used to determine the OC contents of the organic liquids.

(6) Compliance with the HAPs emissions limitations in b)(2)g. shall be demonstrated by the recordkeeping in d)(8).

g) Miscellaneous Requirements

None