State of Ohio Environmental Protection Agency

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Certified Mail

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

5/26/2009

Mr. Dan Mapes
National Lime & Stone Company
1331 Broad Avenue
Suite 100
Findlay, OH 45840

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 0332012006
Permit Number: P0104419
Permit Type: Initial Installation
County: Hancock

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 Ohio EPA DAPC, Northwest District Office. 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: Ohio EPA-NWDO

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

FINAL

Air Pollution Permit-to-Install and Operate
for
National Lime & Stone Company

Facility ID:	0332012006
Permit Number:	P0104419
Permit Type:	Initial Installation
Issued:	5/26/2009
Effective:	5/26/2009
Expiration:	5/26/2019

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Air Pollution Permit-to-Install and Operate
for
National Lime & Stone Company

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Authorization

Facility ID: 0332012006
Application Number(s): A0036854
Permit Number: P0104419
Permit Description: Portable aggregate processing plant with roadways and storage piles
Permit Type: Initial Installation
Permit Fee: $600.00
Issue Date: 5/26/2009
Effective Date: 5/26/2009
Expiration Date: 5/26/2019
Permit Evaluation Report (PER) Annual Date: Apr 1 - Mar 31, Due May 15
This document constitutes issuance to:

National Lime & Stone Company
551 Lake Cascades Parkway
Findlay, OH 45840

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, Northwest District Office
347 North Dunbridge Road
Bowling Green, OH 43402
(419)352-8461

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: P0104419
Permit Description: Portable aggregate processing plant with roadways and storage piles

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:	Portable Roadways
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	**F002**
Company Equipment ID:	Storage Piles
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	**F003**
Company Equipment ID:	Portable Aggregate
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 Ohio EPA DAPC, Northwest 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.

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. F001, Portable Roadways

Operations, Property and/or Equipment Description:

Roadways and Parking Areas

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 3745-31-05(A)(3)	<u>Roadways and Parking Areas</u> 56.95 tons of fugitive particulate emissions (PE)/year; 16.24 tons of fugitive particulate matter less than 10 microns in size (PM10)/year <u>Paved Roadways and Parking Areas</u> No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation period Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see (2)b. and (2)d through (2)f.) <u>Unpaved Roadways and Parking Areas</u> No visible particulate emissions except for a period of time not exceed three minutes during any 60-minute

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		observation period Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see (2)c. through (2)f.)
b.	OAC rule 3745-17-07(B)	See (2)h.
c.	OAC rule 3745-17-08(B)	See (2)h.

(2) Additional Terms and Conditions

a. The roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

<u>paved roadways and parking areas</u>
all paved roadways and parking areas

<u>unpaved roadways and parking areas</u>
all unpaved roadways and parking areas

b. The permittee shall employ best available control measures on all paved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the application, the permittee has committed to treat the paved roadways and parking areas by sweeping and watering at sufficient treatment frequencies to ensure compliance. Additionally, the permittee has committed to treat the unpaved roadways and parking areas and unpaved shoulders of all paved roadways with chemical dust suppressants and/or water at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing equally-effective control measures to ensure compliance.

c. The permittee shall employ best available control measures on all unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the application, the permittee has committed to treat the unpaved roadways and parking areas with water and chemical dust suppressants at sufficient frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.

d. The needed frequencies of implementation of the control measures outlined in (2)b. 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 a paved or unpaved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.

e. The permittee shall promptly remove, in such a manner as to 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.

f. 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.

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

h. This emissions unit is a portable source associated with the portable aggregate plant (emissions unit F003) permitted under facility ID 0332012006 and is applicable to the requirements of OAC rule 3745-17-07(B) and OAC rule 3745-17-08(B) when located in an "Appendix A" area as identified in OAC rule 3745-17-08. The emission limitations of 56.95 tons of fugitive PE/year and 16.24 tons of fugitive PM10/year represent the maximum emissions which will be emitted from the paved and unpaved roadways and parking areas for any proposed site for relocation of the portable aggregate plant. The emission limitations and control requirements established by OAC rule 3745-17-07(B) and OAC rule 3745-17-08(B) are less stringent than the requirements established pursuant to OAC rule 3745-31-05(A)(3).

c) Operational Restrictions

(1) None

d) Monitoring and/or Recordkeeping Requirements

(1) Except as otherwise provided in this section, the permittee shall perform inspections of each of the roadway segments and parking areas in accordance with the following frequencies:

paved roadways and parking areas	minimum inspection frequency
all paved roadways and parking areas	once during each day of inspection

unpaved roadways and parking areas	minimum inspection frequency
all unpaved roadways and parking areas	once during each day of inspection

(2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions.

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

(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 kept separately for (i) the paved roadways and parking areas and (ii) the unpaved roadways and parking areas, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

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.

f) Testing Requirements

(1) Compliance with the emission limitations specified in b)(1) of these terms and conditions shall be determined in accordance with the following methods:

a. <u>Emission Limitation</u>
56.95 tons of PE/year
16.24 tons of fugitive particulate matter less than 10 microns in size (PM10)/year

<u>Applicable Compliance Method</u>
The emission limitations were established by summing the total uncontrolled emissions from paved and unpaved roadways and parking areas and applying a 90% control efficiency for use of best available control measures.

The uncontrolled emissions were based on the following:

i. for paved roadways and parking areas, the appropriate emission factor as determined from AP-42 Chapter 13.2.1 (revised 11/06) was multiplied by the maximum vehicle miles traveled and divided by 2000 lbs/ton;

ii. for unpaved roadways and parking areas, the appropriate emission factor as determined from AP-42 Chapter 13.2.2 (revised 11/06) was multiplied by the maximum vehicle miles traveled and divided by 2000 lbs/ton.

Therefore, provided compliance is shown with the requirements of this permit to apply best available control measures, compliance with the annual limitations will be assumed.

b. Emission Limitation
No visible particulate emissions except for a period of time not to exceed 1 minute during any 60-minute observation period from paved roadways and parking areas.

Applicable Compliance Method
Compliance with the visible emission limitation listed above shall be determined in accordance with Test Method 22 as set forth in the "Appendix 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 paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

c. Emission Limitation
No visible particulate emissions except for a period of time not to exceed 3 minutes during any 60-minute observation period from unpaved roadways and parking areas.

Applicable Compliance Method
Compliance with the visible emission limitation listed above shall be determined in accordance with Test Method 22 as set forth in the "Appendix 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 paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

g) Miscellaneous Requirements

(1) The permittee may relocate the portable source within the State of Ohio without first obtaining a permit-to-install and operate (PTIO) or a permit-to-install (PTI) providing the appropriate exemption requirements have been met and following the approval of the Director (the Northwest District Office). The Director may issue a "Notice of Site Approval" if the following criteria is met, pursuant to the permanent exemption for portable sources in OAC rule 3745-31-03(A)(1):

a. the portable source is operated in compliance with any applicable best available technology (BAT) determination issued in a permit and all applicable state and/or federal rules and laws;

b. the portable source is operating pursuant to a currently effective PTIO or PTI and/or permit to operate (PTO) and continues to comply with the requirements of the permit;

c. the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the Northwest District Office prior to the rescheduled relocation:

d. the Northwest District Office has determined that the permitted emissions would not cause a nuisance and would be acceptable under OAC rule 3745-15-07; and

e. the Director has issued a "Notice of Site Approval" stating that the proposed site is acceptable and the relocation of the portable source, along with any supporting permitted emissions (e.g. roadways and storage piles), would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site.

The portable source can be relocated upon receipt of the director's "Notice of Site Approval" for the site.

(2) If the relocation of the portable source would result in the installation of major source or the modification of a major source, as defined in OAC rule 3745-31-01, the permittee shall submit an application and obtain a PTIO or PTI (as applicable) for the new location prior to moving the portable source.

When a portable source is located at a stationary source or at a site with multiple portable sources, the potential emissions of the portable source may be required to be added to that of the facility in order to determine the potential to emit for Title V and PSD applicability. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745-77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

The "Notice of Intent to Relocate" shall be submitted to the Ohio EPA District Office responsible for issuing the permits for the portable source. Upon receipt of the notice, the permitting office shall notify the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Failure to submit said notification or failure to receive Ohio EPA approval prior to the relocation of the portable source may result in fines and civil penalties.

2. F002, Storage Piles

Operations, Property and/or Equipment Description:

Storage Piles

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 3745-31-05(A)(3)	<u>Storage Piles</u> 3.35 tons of fugitive particulate emissions (PE)/year; 1.58 tons of fugitive particulate matter less than 10 microns in size (PM10)/year <u>Load-in and Load-out of Storage Piles</u> No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation period Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see (2)a. through (2)c. and (2)f.) <u>Wind Erosion from Storage Piles</u> No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		period (see (2)a. and (2)d. through (2)f.)
b.	OAC rule 3745-17-07(B)	See (2)g.
c.	OAC rule 3745-17-08(B)	See (2)g.

(2) Additional Terms and Conditions

a. The storage piles that are covered by this permit and subject to the above-mentioned requirements are listed below:

all storage piles

b. The permittee shall employ best available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the application, the permittee has committed to minimizing drop height and applying water to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing equally effective control measures to ensure compliance.

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

d. The permittee shall employ best available control measures wind erosion from each storage pile for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the application, the permittee has committed to applying water to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing equally effective control measures to ensure compliance.

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

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

g. This emissions unit is a portable source associated with the portable aggregate plant (emissions unit F003) permitted under facility ID 0332012006 and is

applicable to the requirements of OAC rule 3745-17-07(B) and OAC rule 3745-17-08(B) when located in an "Appendix A" area as identified in OAC rule 3745-17-08. The emission limitations of 3.35 tons of fugitive PE/year and 1.58 tons of fugitive PM10/year represent the maximum emissions which will be emitted from the paved and unpaved roadways and parking areas for any proposed site for relocation of the portable aggregate plant. The emission limitations and control requirements established by OAC rule 3745-17-07(B) and OAC rule 3745-17-08(B) are less stringent than the requirements established pursuant to OAC rule 3745-31-05(A)(3).

c) Operational Restrictions

(1) None

d) Monitoring and/or Recordkeeping Requirements

(1) Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each storage pile in accordance with the following frequencies:

storage pile identification	minimum load-in inspection frequency
all storage piles	once/shift

(2) Except as otherwise provided in this section, the permittee shall perform inspections of each load-out operation at each storage pile in accordance with the following frequencies:

storage pile identification	minimum load-out inspection frequency
all storage piles	once/shift

(3) Except as otherwise provided in this section, the permittee shall perform inspections of wind erosion associated with each storage pile in accordance with the following frequencies:

storage pile identification	minimum wind erosion inspection frequency
all storage piles	once/shift

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

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

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

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

b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control 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, for wind erosion from storage piles, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).

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

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.

f) Testing Requirements

(1) Compliance with the emission limitations specified in section b)(1) of these terms and conditions shall be determined in accordance with the following methods:

a. <u>Emission Limitations</u>
3.35 tons of fugitive PE/year
1.58 tons of fugitive particulate matter less than 10 microns in size (PM10)/year

<u>Applicable Compliance Methods</u>
The emission limitations were established by adding the total uncontrolled emissions from load-in and load-out operations and wind erosion. A 95% control efficiency was applied to load-in and load-out and a 50% control efficiency was applied to wind erosion for use of best available control measures.

The uncontrolled emissions were based on the following:

i. for load-in, the appropriate emission factor as determined from AP-42 Chapter 13.2.4 (revised 11/06) was multiplied by the maximum annual throughput of 2,000,000 tons and divided by 2000 lbs/ton;

ii. for load-out, the appropriate emission factor as determined from AP-42 Chapter 13.2.4 (revised 11/06) was multiplied by the maximum annual throughput of 2,000,000 tons and divided by 2000 lbs/ton.

iii. for wind erosion, the appropriate emission factor as determined by the U.S. EPA Reference Document "Fugitive Dust Background Document and Technical Information Document for Best Available Control Measures" (09/92) was multiplied by a maximum surface area of 1.68 acres, a maximum operating scenario of 365 days/year, and divided by 2000 lbs/ton.

Therefore, provided compliance is shown with the requirements of this permit to apply best available control measures, compliance with the annual limitations will be assumed.

b. Emission Limitation
No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation period

Applicable Compliance Method
Compliance with the visible emission limitation shall be determined in accordance with Test Method 22 as set forth in the "Appendix 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 paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

g) Miscellaneous Requirements

(1) The permittee may relocate the portable source within the State of Ohio without first obtaining a permit-to-install and operate (PTIO) or a permit-to-install (PTI) providing the appropriate exemption requirements have been met and following the approval of the Director (the Northwest District Office). The Director may issue a "Notice of Site Approval" if the following criteria is met, pursuant to the permanent exemption for portable sources in OAC rule 3745-31-03(A)(1):

a. the portable source is operated in compliance with any applicable best available technology (BAT) determination issued in a permit and all applicable state and/or federal rules and laws;

b. the portable source is operating pursuant to a currently effective PTIO or PTI and/or permit to operate (PTO) and continues to comply with the requirements of the permit;

c. the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the Northwest District Office prior to the rescheduled relocation:

d. the Northwest District Office has determined that the permitted emissions would not cause a nuisance and would be acceptable under OAC rule 3745-15-07; and

e. the Director has issued a "Notice of Site Approval" stating that the proposed site is acceptable and the relocation of the portable source, along with any supporting permitted emissions (e.g. roadways and storage piles), would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site.

The portable source can be relocated upon receipt of the director's "Notice of Site Approval" for the site.

(2) If the relocation of the portable source would result in the installation of major source or the modification of a major source, as defined in OAC rule 3745-31-01, the permittee shall submit an application and obtain a PTIO or PTI (as applicable) for the new location prior to moving the portable source.

When a portable source is located at a stationary source or at a site with multiple portable sources, the potential emissions of the portable source may be required to be added to that of the facility in order to determine the potential to emit for Title V and PSD applicability. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745-77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

The "Notice of Intent to Relocate" shall be submitted to the Ohio EPA District Office responsible for issuing the permits for the portable source. Upon receipt of the notice, the permitting office shall notify the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Failure to submit said notification or failure to receive Ohio EPA approval prior to the relocation of the portable source may result in fines and civil penalties.

3. F003, Portable Aggregate

Operations, Property and/or Equipment Description:

Aggregate Processing Line

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 3745-31-05(A)(3)	9.75 tons of fugitive particulate emissions (PE)/year; 3.47 tons of fugitive particulate matter less than 10 microns in size (PM10)/year
b.	OAC rule 3745-17-07(B)	See b)(2)h.
c.	OAC rule 3745-17-08(B)	See b)(2)h.
d.	40 CFR 60 Subpart OOO	Visible emission restrictions (see b)(2)a. and b)(2)e.)

(2) Additional Terms and Conditions

a. The following aggregate processing equipment/operations are covered by this permit:

Equipment Description	Identification Number	Regulatory Basis
Front End Loader	Front End Loader	OAC rule 3745-31-05

Grizzly Feeder	F1	OAC rule 3745-31-05
Primary Jaw Crusher	CR1	40 CFR 60 Subpart OOO
Conveyor	PC1	OAC rule 3745-31-05
Conveyor	PC2	OAC rule 3745-31-05
Surge Bin	Surge Bin	OAC rule 3745-31-05
Secondary Cone Crusher	CR2	40 CFR 60 Subpart OOO
Primary Screen	S1	40 CFR 60 Subpart OOO
Secondary Screen	S2	40 CFR 60 Subpart OOO
Secondary Screen	S3	40 CFR 60 Subpart OOO
Conveyor	C1	OAC rule 3745-31-05
Conveyor	C2	OAC rule 3745-31-05
Conveyor	C3	OAC rule 3745-31-05
Conveyor	C4	OAC rule 3745-31-05
Conveyor	C5	OAC rule 3745-31-05
Conveyor	C6	OAC rule 3745-31-05
Conveyor	C7	OAC rule 3745-31-05
Conveyor	C8	OAC rule 3745-31-05
Conveyor	C9	OAC rule 3745-31-05
Conveyor	C10	OAC rule 3745-31-05
Conveyor	C11	OAC rule 3745-31-05
Conveyor	C12	OAC rule 3745-31-05
Conveyor	C13	OAC rule 3745-31-05
Conveyor	C14	OAC rule 3745-31-05
Conveyor	C15	OAC rule 3745-31-05
Conveyor	C16	OAC rule 3745-31-05
Conveyor	C17	OAC rule 3745-31-05

Conveyor	C18	OAC rule 3745-31-05
Conveyor	C19	OAC rule 3745-31-05
Conveyor	C20	OAC rule 3745-31-05
Conveyor	C21	OAC rule 3745-31-05
Conveyor	C22	OAC rule 3745-31-05
Conveyor	C23	OAC rule 3745-31-05

b. The permittee shall employ the following best available control measures for aggregate processing operations for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permit application, the permittee has committed to perform the following control measures to ensure compliance:

Operation	Control Measure(s)
product loading/unloading	minimize freefall distance, prevention of product overloading
plant conveyors and transfer points	inherent moisture, wet suppression
crushing	water sprays, inherent moisture
screening	water sprays, inherent moisture

Nothing shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.

c. For each material handling operation that is not adequately enclosed, the above-identified control measures shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during the operation of the material handling operations until further observation confirms that use of the control measures is unnecessary.

d. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05(A)(3).

e. Visible emissions from the material handling operations shall not exceed the following opacity restrictions:

Operation	Opacity Limit*

Loading/unloading	20% opacity as a three-minute average
screening	10% opacity as a six-minute average
wet screening and screening of saturated materials	no visible emissions
crushing	15% opacity as a six-minute average
conveyor transfer points, except as otherwise provided	10% opacity as a six-minute average
conveyor transfer points feeding and exiting crushers	15% opacity as a six-minute average
conveyor transfer points of saturated materials	no visible emissions

*See section b)(2)a. for the regulatory basis of the opacity limits.

f. The application and enforcement of the provisions of NSPS, as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements for 40 CFR Part 60 are also federally enforceable.

g. The requirements of this rule also include compliance with 40 CFR Part 60 Subpart OOO.

h. This emissions unit is a portable source and is applicable to the requirements of OAC rule 3745-17-07(B) and OAC rule 3745-17-08(B) when located in an "Appendix A" area as identified in OAC rule 3745-17-08. Best Available Technology (BAT) for this emissions unit, as set forth by the requirements and emission limitations of this permit under OAC rule 3745-31-05(A)(3) are more stringent than any requirements or emission limitations as may be applicable under OAC rule 3745-17-07(B) and OAC rule 3745-17-08(B).

c) Operational Restrictions

(1) The maximum annual material throughput for this emissions unit shall not exceed 2,000,000 tons based on the material throughput of the feeder.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain monthly records of the amount of material processed through the feeder of this emissions unit in (a) tons per month and (b) total tons, to date, for the calendar year.

(2) Except as otherwise provided in this section, for aggregate processing operations that are not adequately enclosed, the permittee shall perform inspections of such operations during representative, normal operating conditions in accordance with the following minimum frequencies:

Operation/Equipment	Minimum Inspection Frequency
each loading/unloading operation	once per day of operation
each plant conveyor & transfer point	once per day of operation
each screen	once per day of operation
each crusher	once per day of operation

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

a. the date and reason why any required inspection was not performed;

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

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

d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information required in d)(3)d. shall be kept separately for each aggregate processing operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

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 submit the following information for each piece of equipment that is replaced by a piece of equipment having the same function as the existing facility:

a. for a crusher:

i. the rated capacity, in tons per hour, of the existing facility being replaced; and

ii. the rated capacity, in tons per hour, of the replacement equipment.

b. for a screening operation:

i. the total surface area of the top screen of the existing screening operation being replaced; and

ii. the total surface area of the top screen of the replacement screening operation.

c. for a conveyor belt:

i. the width of the existing belt being replaced; and

ii. the width of the replacement conveyor belt.

d. for a storage bin:

i. the rated capacity, in tons, of the existing storage bin being replaced; and

ii. the rated capacity, in tons, of the replacement storage bins.

The notification shall be sent to the Northwest District Office within 30 days after the equipment replacement.

(3) The permittee shall submit written reports of the results of all performance tests conducted to demonstrate compliance with the standards set forth in 40 CFR Part 60 Subpart OOO, including the reports of opacity observations using Method 9 to demonstrate compliance with this subpart.

(4) Pursuant to the general provisions of NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times for this emissions unit:

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

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

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

Reports are to be sent to:

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

and

Ohio EPA, Northwest District Office
Division of Air Pollution Control
347 North Dunbridge Road
Bowling Green, Ohio 43402

f) Testing Requirements

(1) Compliance with the emission limitations specified in section b)(1) of these terms and conditions shall be determined in accordance with the following methods:

a. <u>Emission Limitations</u>:
9.75 tons of fugitive PE/year
3.47 tons of fugitive particulate matter less than 10 microns in size (PM10)/year

Applicable Compliance Methods:
The annual emission limitations were developed by applying the following emission factors to the associated process weight rates:

Process Operation	Maximum Process Weight Rate (tons/year)	Emission Factor PE (lb/ton)	Emission Factor PM_{10} (lb/ton)	Emission Factor Citation
Front End Loader	2,000,000	0.00021	0.0001	AP-42 Table 11.19.2-2 (08/04)
Primary Crusher	2,000,000	0.00125	0.00054	AP-42 Figure 11.19-4 (08/04) AP-42 Table 11.19.2-2 (08/04)
Secondary Crusher	800,000	0.00125	0.00054	AP-42 Figure 11.19-4 (08/04) AP-42 Table 11.19.2-2 (08/04)
Grizzly Feeder	2,000,000	0.0022	0.00074	AP-42 Table 11.19.2-2 (08/04)
Primary Screen	2,000,000	0.0022	0.00074	AP-42 Table 11.19.2-2 (08/04)
Secondary Screen	1,500,000	0.0022	0.00074	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #1 - #5	2,000,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #6 - #7	1,500,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #8 - #13	200,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #14 - #15	650,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Point #16	800,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Point #17	400,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #18 - #19	600,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)

Conveyor Point #20	1,400,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Point #21	300,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #22 - #23	150,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #24 - #26, #34 - #38	300,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #27 - #30	100,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #31 - #33	200,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)
Conveyor Points #39 - #41	500,000	0.00014	0.000046	AP-42 Table 11.19.2-2 (08/04)

b. Emission Limitation:
Visible emissions shall not exceed 20% opacity as a three-minute average for loading operations.

Applicable Compliance Method:
If required, compliance shall be demonstrated using Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR Part 60, Appendix A ("Standards of Performance for New Stationary Sources") as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(3)(a) and (B)(3)(b) of OAC rule 3745-17-03.

c. Emission Limitation:
The permittee shall not cause to be discharged into the atmosphere from any crusher at which a capture system is not used fugitive emissions which exhibit greater than 15% opacity.

Applicable Compliance Method:
If required, compliance shall be demonstrated using Method 9 of 40 CFR Part 60, Appendix A, and the procedures specified in 40 CFR Part 60, Subpart OOO, Section 60.675.

d. Emission Limitation:
The permittee shall not cause to be discharged into the atmosphere from any transfer point or screen any fugitive emissions which exhibit greater than 10% opacity (unless otherwise specified).

Applicable Compliance Method:
If required, compliance shall be demonstrated using Method 9 of 40 CFR Part 60, Appendix A, and the procedures specified in 40 CFR Part 60, Subpart OOO, Section 60.675.

e. Emission Limitation:
The permittee shall not cause to be discharged into the atmosphere any visible emissions from wet screening operations and subsequent transfer points that process saturated materials.

Applicable Compliance Method:
If required, compliance shall be demonstrated using Method 22 of 40 CFR Part 60, Appendix A, and the procedures specified in 40 CFR Part 60, Subpart OOO, Section 60.675.

(2) The permittee shall conduct, or have conducted, emissions testing for all transfer points, screens, and crushers of emissions unit F003.

(3) The following test method shall be employed to demonstrate compliance with the allowable visible emission rates:

a. Method 9 of 40 CFR Part 60, Appendix A shall be used to determine opacity.

(4) Testing shall be conducted in accordance with the provisions of 40 CFR Part 60 Subpart A, Section 60.8 and 40 CFR Part 60 Subpart OOO, Section 60.675.

(5) The testing timeframe indicated in this section shall be initiated by the first instance when this emissions unit operates as an affected facility at a nonmetallic mineral processing plant as specified in 60.670(a)(1). The emission testing shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Ohio Environmental Protection Agency, Division of Air Pollution Control. The emission testing shall be conducted to demonstrate compliance with the allowable visible emission rates for particulate emissions.

(6) The tests shall be conducted while the emissions unit is operating at its maximum capacity, unless otherwise specified or approved by the Ohio EPA, Division of Air Pollution Control. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an “Intent to Test” notification to the Ohio EPA, Division of Air Pollution Control. The “Intent to Test” notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the times and dates of the tests, and the person(s) who will be conducting the tests. Failure to submit such notification for review and approval prior to the tests may result in the Ohio EPA District Office’s refusal to accept the results of the emissions tests.

(7) Personnel from the Ohio EPA District Office’s air agency shall be permitted to witness the test, examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions unit and/or the performance of the control equipment. A comprehensive written report on the emissions tests shall be signed by

the person or persons responsible for the tests and submitted to the Ohio EPA Division of Air Pollution Control within 30 days following completion of the tests.

g) Miscellaneous Requirements

(1) The permittee may relocate the portable source within the State of Ohio without first obtaining a permit-to-install and operate (PTIO) or a permit-to-install (PTI) providing the appropriate exemption requirements have been met and following the approval of the Director (the Northwest District Office). The Director may issue a "Notice of Site Approval" if the following criteria is met, pursuant to the permanent exemption for portable sources in OAC rule 3745-31-03(A)(1):

a. the portable source is operated in compliance with any applicable best available technology (BAT) determination issued in a permit and all applicable state and/or federal rules and laws;

b. the portable source is operating pursuant to a currently effective PTIO or PTI and/or permit to operate (PTO) and continues to comply with the requirements of the permit;

c. the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the Northwest District Office prior to the rescheduled relocation:

d. the Northwest District Office has determined that the permitted emissions would not cause a nuisance and would be acceptable under OAC rule 3745-15-07; and

e. the Director has issued a "Notice of Site Approval" stating that the proposed site is acceptable and the relocation of the portable source, along with any supporting permitted emissions (e.g. roadways and storage piles), would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site.

The portable source can be relocated upon receipt of the director's "Notice of Site Approval" for the site.

(2) If the relocation of the portable source would result in the installation of major source or the modification of a major source, as defined in OAC rule 3745-31-01, the permittee shall submit an application and obtain a PTIO or PTI (as applicable) for the new location prior to moving the portable source.

When a portable source is located at a stationary source or at a site with multiple portable sources, the potential emissions of the portable source may be required to be added to that of the facility in order to determine the potential to emit for Title V and PSD applicability. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745-77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

The "Notice of Intent to Relocate" shall be submitted to the Ohio EPA District Office responsible for issuing the permits for the portable source. Upon receipt of the notice, the permitting office shall notify the appropriate Ohio EPA District Office or local air

agency having jurisdiction over the new site. Failure to submit said notification or failure to receive Ohio EPA approval prior to the relocation of the portable source may result in fines and civil penalties.