



State of Ohio Environmental Protection Agency

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Columbus, Ohio 43215

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P.O. Box 1049
Columbus, OH 43216-1049

6/2/2009

William Paxton
PAXTON LANDFILL
2519 N. Michigan Street
Toledo, OH 43611

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 0448011594
Permit Number: P0088425
Permit Type: Renewal
County: Lucas

Certified Mail

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

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 Toledo Department 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: TDES

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



**State of Ohio Environmental Protection Agency
Division of Air Pollution Control**

FINAL

**Air Pollution Permit-to-Install and Operate
for
PAXTON LANDFILL**

Facility ID: 0448011594
Permit Number: P0088425
Permit Type: Renewal
Issued: 6/2/2009
Effective: 6/2/2009
Expiration: 6/2/2019



Air Pollution Permit-to-Install and Operate
for
PAXTON LANDFILL

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Final Permit-to-Install and Operate
Permit Number: P0088425
Facility ID: 0448011594
Effective Date: 6/2/2009

Authorization

Facility ID: 0448011594
Application Number(s): A0019579
Permit Number: P0088425
Permit Description: This facility operates as a demolition landfill for non-hazardous material. The PTIO is for permit renewal.
Permit Type: Renewal
Permit Fee: \$0.00
Issue Date: 6/2/2009
Effective Date: 6/2/2009
Expiration Date: 6/2/2019
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15
This document constitutes issuance to:

PAXTON LANDFILL
3640 HOFFMAN ROAD
TOLEDO, OH 43611

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:

Toledo Department of Environmental Services
348 South Erie Street
Toledo, OH 43604
(419)936-3015

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

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Permit Number: P0088425
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Effective Date: 6/2/2009

Authorization (continued)

Permit Number: P0088425
Permit Description: This facility operates as a demolition landfill for non-hazardous material. The PTIO is for permit renewal.

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:	Roadways and parking areas
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

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



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Permit Number: P0088425

Facility ID: 0448011594

Effective Date: 6/2/2009

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 Toledo Department 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



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Final Permit-to-Install and Operate

Permit Number: P0088425

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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.



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B. Facility-Wide Terms and Conditions



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install and Operate

Permit Number: P0088425

Facility ID: 0448011594

Effective Date: 6/2/2009

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.



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Effective Date: 6/2/2009

C. Emissions Unit Terms and Conditions



1. F001, Roadways and parking areas

Operations, Property and/or Equipment Description:

F001 - Unpaved 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 3745-17-07(B)(5)	no visible particulate emissions (PE) except for 13 minutes during any 60-minute period.
b.	OAC rule 3745-17-08(B), (B)(2)	reasonably available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see b)(2)a. through b)(2)f.

(2) Additional Terms and Conditions

a. The permittee shall employ reasonably 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 permittee's permit application, the permittee has committed to treat the unpaved roadways and parking areas with water at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.



- b. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for an unpaved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- c. Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface due to the application of certain types of dust suppressants, may be controlled using flushing and/or watering. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking areas specified in OAC rule 3745-17-07(B)(4).
- d. The permittee shall promptly remove, in such a manner as to minimize or prevent re-suspension, 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.
- e. 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.
- 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 3745-17-08.

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:

<u>unpaved roadways and parking areas</u>	<u>minimum inspection frequency</u>
all roads and parking areas	daily

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



shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

- (3) 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 term d)(3)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter

- (4) The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.

e) Reporting Requirements

- (1) The permittee shall submit deviation reports that identify any of the following occurrences:
- a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
- (2) 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.
- (3) The deviation reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions in Part A. of this permit.

f) Testing Requirements

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



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a. Emission Limitation:

No visible PE from unpaved roadways and parking areas except for a period of time not to exceed 13 minutes during any 60-minute observation period.

Applicable Compliance Method:

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

g) Miscellaneous Requirements

(1) None.



2. F002, C and DD landfill

Operations, Property and/or Equipment Description:

Construction and demolition debris landfill: material handling, earth moving equipment and truck loading and unloading operations

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

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

a. None.

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

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

(1) The specific operations(s), property, and/or equipment that constitute each emissions unit along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-17-07(B)(1)	Visible particulate emissions from fugitive dust shall not exceed twenty percent opacity as a three-minute average.
b.	OAC rule 3745-17-08(B)	Use of reasonably available control measures to minimize or eliminate the emissions of fugitive dust See b)(2)b. through (2)h. below
c.	Substitute Amended House Bill 397	See b)(2)i.
d.	OAC rule 3745-19	See b)(2)j.
e.	ORC section 3704.03(L)	See b)(2)k.



(2) Additional Terms and Conditions

- a. The landfill fugitive dust operations/sources that are covered by this permit and subject to the requirements of OAC rule 3745-31-05 are listed below:
 - i. waste dumping/unloading;
 - ii. waste compaction;
 - iii. soil excavation and handling;
 - iv. covering of waste with soil; and
 - v. wind erosion from landfill surfaces.
- b. The permittee shall employ the following Reasonably Available Control Measures for all waste materials deposited in the landfill:
 - i. Ensure that construction and demolition debris C&DD materials are deposited, spread, and compacted in such a manner as to minimize or prevent visible emissions of dust.
 - ii. All truckloads of C&DD materials shall be unloaded as near to the point of final placement as possible and in a manner which will minimize the drop height of the C&DD materials.
 - iii. Any dusty materials or wastes likely to become airborne shall be watered as necessary prior to or during dumping operations. Watering shall be conducted in such a manner as to avoid the pooling of liquids and runoff.
 - iv. No dusty material shall be dumped during periods of high wind speed, unless the material has been treated to prevent fugitive dust emissions from becoming airborne.
- c. When handling and stockpiling C&DD materials and/or cover materials, the permittee shall implement the following procedures:
 - i. All exposed C&DD materials shall be covered with cover materials by the end of each day of operation.
 - ii. Handling and stockpiling of cover materials, except for top soil, shall be minimized. Unvegetated cover materials and soil in the waste disposal area must be periodically wetted with water and shall be handled in such a manner as to minimize or eliminate visible particulate emissions of fugitive dust. The frequency and amounts of water application will depend on weather conditions, cover material conditions, and soil conditions.
- d. For each material handling operation that is not adequately enclosed, the above-identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material



handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.

- e. The permittee shall employ reasonably available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to watering to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- f. The permittee shall employ reasonably available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to watering. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- g. The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.
- h. Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit are appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08.
- i. Under Substitute Amended House Bill 397 (Sub. Am. H.B. 397), effective December 22, 2005, Ohio EPA is required to develop rules governing the operation of construction and demolition (C & D) landfills. Sub. Am. H.B. 397 authorizes the Director of Ohio EPA to adopt rules requiring contingency plans for effective action in response to hydrogen sulfide or other gases created by the operation of a C & D facility. Because these rules are not yet written, Ohio EPA has not placed terms and conditions detailing the contingency plan requirements in this permit. However, Ohio EPA believes it is important to have in place a contingency plan to deal with potential hydrogen sulfide/other gas emissions from C & D facilities. Therefore, as a condition of this permit, the permittee is required to develop and implement a hydrogen sulfide/other gas emission contingency plan by the dates required for sources in the C & D rules developed in response to Sub. Am. H.B. 397.
- j. There shall be no open burning, in violation of OAC Chapter 3745-19, at this facility.
- k. Pursuant to the authority in ORC section 3704.03(L), any representative of the Director may, upon presentation of proper identification, enter at any reasonable time upon any portion of the property where this landfill is located, including any improvements thereon, to make inspections; take samples; conduct tests; examine records or reports pertaining to any emissions of air contaminants; and



inspect monitoring equipment, emissions control equipment, and/or methods of operation and gas sampling. No operator or agent of this landfill shall act in any manner to refuse, hinder, or thwart this legal right of entry.

c) Operational Restrictions

- (1) The permittee shall not accept for disposal asbestos-containing waste material as defined under 40 CFR 61.141 and OAC rule 3745-20-01.
- (2) The permittee shall be limited to accepting only C & DD materials as defined in Ohio Revised Code 3714.01.
- (3) The permittee shall ensure that solid wastes are deposited, spread, and compacted in such a manner as to minimize or prevent visible emissions of fugitive dust. The permittee shall require all truckloads of solid waste to be unloaded in a manner that will minimize the drop height of the solid wastes. Any dusty materials or wastes likely to become airborne shall be watered as necessary prior to or during dumping operations in order to minimize or eliminate visible emissions of fugitive dust. Watering shall be conducted in such a manner as to avoid the pooling of liquids and runoff. No dusty material shall be dumped during periods of high wind speed, unless the material has been treated to prevent fugitive dust emissions from becoming airborne.
- (4) The permittee shall employ reasonably available control measures for the above-identified landfill fugitive dust operations/sources for the purpose of ensuring compliance with the above mentioned applicable requirements. In accordance with the permit application, the permittee maintains that the inherent moisture content of the materials involved in fugitive dust operations/sources is at a level which is more than sufficient to comply with all applicable requirements. If at any time the moisture content is not sufficient to meet the above applicable requirements, the permittee shall employ reasonably available control measures to ensure compliance.
- (5) The above identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the fugitive dust operation/sources until further observation confirms that use of the control measure(s) is unnecessary.
- (6) 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 3745-17-08(b).

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible fugitive particulate emissions from the egress points (i.e., building windows, doors, roof monitors, etc.) serving this emissions unit. The presence or absence of any visible fugitive emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
 - a. the location and color of the emissions;



- b. whether the emissions are representative of normal operations;
- c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
- d. the total duration of any visible emission incident; and
- e. any corrective actions taken to minimize or eliminate the visible emissions.

If visible emissions are present, a visible emission incident has occurred. The observer does not have to document the exact start and end times for the visible emission incident under item (d) above or continue the daily check until the incident has ended. The observer may indicate that the visible emission incident was continuous during the observation period (or, if known, continuous during the operation of the emissions unit). With respect to the documentation of corrective actions, the observer may indicate that no corrective actions were taken if the visible emissions were representative of normal operations, or specify the minor corrective actions that were taken to ensure that the emissions unit continued to operate under normal conditions, or specify the corrective actions that were taken to eliminate abnormal visible emissions.

- (2) The permittee shall maintain a daily operations log which records/documents any watering activity employed to minimize or eliminate visible emissions of fugitive dust for each waste dumping/placement area; the record shall include the time, the location, and the amount of water employed, in gallons.
- (3) When dumping C&DD materials, the permittee shall implement the following procedures:
 - a. The permittee shall apply water to the C&DD materials as needed in order minimize or eliminate visible emissions of fugitive dust.
 - b. Dusty C&DD materials shall not be dumped during periods of high wind speed, unless they have been treated to prevent dust from becoming airborne.
 - c. The permittee shall ensure that all truckloads of C&DD materials are unloaded in a manner which will minimize the drop height of the C&DD materials.
 - d. During the dumping of any load of C&D materials, in which dusty C&D materials become airborne, the C&D materials shall be watered as necessary to minimize or eliminate visible particulate emissions of fugitive dust.

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 identify the following information in the annual permit evaluation report in accordance with the monitoring requirements for visible emissions in term number e)(1) above:



- a. all days during which any visible fugitive particulate emissions were observed from the egress points (i.e., building windows, doors, roof monitors, etc.) serving this emissions unit; and
- b. any corrective actions taken to minimize or eliminate the visible fugitive particulate emissions.

f) Testing Requirements

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

- a. Emission Limitation:

Visible emissions of fugitive dust shall not exceed 20 percent opacity as a three-minute average.

Applicable Compliance Method:

Compliance shall be determined in accordance with U.S. EPA Method 9, with the following modifications:

- i. the data reduction and average opacity calculation shall be based upon sets of twelve consecutive visible emission observations recorded at 15-second intervals;
- ii. opacity observations shall be made from a position that provides the observer a clear view of the emissions unit and the fugitive dust, with the sun behind the observer;
- iii. where possible, visible opacity observations shall be conducted at a position of at least fifteen feet from the source of emissions and the line of sight should be approximately perpendicular to the flow of fugitive dust and to the longer axis of the emissions; and
- iv. the visible opacity observations shall be made for the point of highest opacity within the fugitive dust emitted from the source.

g) Miscellaneous Requirements

- (1) None.