State of Ohio Environmental Protection Agency

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Columbus, OH 43216-1049

12/10/2009

Certified Mail

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

Dan Crago
Valley Asphalt Plant 19
11641 MOSTELLER RD
CINCINNATI, OH 45241

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 1431073386
Permit Number: P0104642
Permit Type: OAC Chapter 3745-31 Modification
County: Hamilton

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install and Operate ("PTIO") which will allow you to install, modify, and/or operate the described emissions unit(s) in the manner indicated in the permit. Because this permit contains conditions and restrictions, please read it very carefully. Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

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

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

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

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

Sincerely,

Michael W. Ahern

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

Cc: HCDOES

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

FINAL

Air Pollution Permit-to-Install and Operate
for
Valley Asphalt Plant 19

Facility ID: 1431073386
Permit Number: P0104642
Permit Type: OAC Chapter 3745-31 Modification
Issued: 12/10/2009
Effective: 12/10/2009
Expiration: 12/10/2014

State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Air Pollution Permit-to-Install and Operate
for
Valley Asphalt Plant 19

Table of Contents

Authorization 1

A. Standard Terms and Conditions 3

1. What does this permit-to-install and operate ("PTIO") allow me to do? 4
2. Who is responsible for complying with this permit? 4
3. What records must I keep under this permit? 4
4. What are my permit fees and when do I pay them? 4
5. When does my PTIO expire, and when do I need to submit my renewal application? 4
6. What happens to this permit if my project is delayed or I do not install or modify my source? 5
7. What reports must I submit under this permit? 5
8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit? 5
9. What are my obligations when I perform scheduled maintenance on air pollution control equipment? 5
10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report? 6
11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located? 6
12. What happens if one or more emissions units operated under this permit is/are shut down permanently? 6
13. Can I transfer this permit to a new owner or operator? 6
14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"? 7
15. What happens if a portion of this permit is determined to be invalid? 7

B. Facility-Wide Terms and Conditions 8

C. Emissions Unit Terms and Conditions 10

1. P901, Asphalt Batch Plant 11

Authorization

Facility ID: 1431073386
Application Number(s): A0037203
Permit Number: P0104642
Permit Description: Chapter 31 modification of an existing permit to raise the OC allowable based on stack test results.
Permit Type: OAC Chapter 3745-31 Modification
Permit Fee: $1,250.00
Issue Date: 12/10/2009
Effective Date: 12/10/2009
Expiration Date: 12/10/2014
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

Valley Asphalt Plant 19
612 WEST MEHRING WAY
CINCINNATI, OH 45241

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

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

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

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

Authorization (continued)

Permit Number: P0104642
Permit Description: Chapter 31 modification of an existing permit to raise the OC allowable based on stack test results.

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

Emissions Unit ID:	**P901**
Company Equipment ID:	Asphalt Batch Plant
Superseded Permit Number:	14-03756
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

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

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

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

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

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

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

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

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

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

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

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

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

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

   This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a renewal notice to you approximately six months prior to the expiration date of this permit. However, it is very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

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

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

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

7. What reports must I submit under this permit?

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

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

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

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

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

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

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

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

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

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

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

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

Ohio EPA can terminate the permit terms associated with any permanently shut down emissions unit. "Shut down" means the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31.

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

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

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

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

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

change in ownership or operator. Any transferee of this permit must assume the responsibilities of the transferor permit holder.

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

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

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

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

B. Facility-Wide Terms and Conditions

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

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

      (1) None.

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

      (1) None.

C. Emissions Unit Terms and Conditions

1. P901, Asphalt Batch Plant

Operations, Property and/or Equipment Description:

300 TPH portable asphaltic concrete plant.

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>Stack Emissions</u> Nitrogen oxides (NOx) emissions shall not exceed 7.5 pounds per hour while burning natural gas. NOx emissions shall not exceed 36.0 pounds per hour while burning oil. Sulfur dioxide (SO_2) emissions shall not exceed 1.4 pounds per hour while burning natural gas. SO_2 emissions shall not exceed 26.4 pounds per hour while burning oil. SO_2 emissions shall not exceed 159.0 pounds per hour while using slag as aggregate. Carbon monoxide (CO) emissions while burning any approved fuel shall not

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		exceed 32.8 pounds per hour. Organic compound (OC) emissions while burning any approved fuel shall not exceed 9.0 pounds hour. Particulate emissions (PE) while burning any approved fuel shall not exceed 10.35 pounds per hour. Particulate matter 10 microns and less in diameter (PM10) emissions while burning any approved fuel shall not exceed 4.14 pounds per hour. The requirements of this rule also include compliance with the requirements of OAC rules 3745-31-05(D), 3745-21-08(B), and 40 CFR Part 60, Subpart I. See b)(2)a. through b)(2)k. and c)(2) through c)(4).
b.	OAC rule 3745-31-05(D) Synthetic minor to avoid Title V permitting	<u>Stack Emissions</u> NOX emissions shall not exceed 30.0 tons per rolling, 12-month period. SO2 emissions shall not exceed 24.9 tons per rolling, 12-month period. CO emissions shall not exceed 28.14 tons per rolling, 12-month period. OC emissions shall not exceed 7.5 tons per rolling, 12-month period. PE emissions shall not exceed 8.63 tons per rolling, 12-month period. PM10 emissions shall not exceed 3.45 tons per rolling, 12-month period. See c)(1). <u>Asphalt Load Out Emissions</u> CO emissions shall not exceed 0.34 ton per rolling, 12-month period. OC emissions shall not exceed 1.04 tons

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		per rolling, 12-month period. PE/PM10 shall not exceed 0.14 ton per rolling, 12-month period. <u>Asphalt Silo Filling Emissions</u> CO emissions shall not exceed 0.30 ton per rolling, 12-month period. OC emissions shall not exceed 3.05 tons per rolling, 12-month period. PE/PM10 shall not exceed 0.15 ton per rolling, 12-month period. <u>Cold End Fugitive Dust Emissions</u> Fugitive PE/PM10 emissions associated with the cold aggregate, sand and RAP loading, and the cold aggregate, sand and RAP transfer operations shall not exceed 3.53 tons per rolling, 12-month period for PE and 1.68 tons per rolling, 12-month period for PM10.
c.	40 CFR Part 60, Subpart I	PE shall not exceed 0.04 grain per dry standard cubic foot of exhaust gas from the baghouse outlet.
d.	OAC rule 3745-17-08(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
e.	OAC rules 3745-17-07(A)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
f.	OAC rule 3745-17-11(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
g.	OAC rule 3745-17-07(B)	The visible emissions of fugitive dust from this emissions unit shall not exceed 20 percent opacity as a 3-minute average.
h.	OAC rule 3745-21-08(B)	See b)(2)l.
i.	OAC rule 3745-17-11(B)(1)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
j.	OAC rule 3745-18-06(E)	The emission limitation specified by this rule is less stringent than the emission

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		limitation established pursuant to OAC rule 3745-31-05(A)(3).
k.	OAC rule 3745-279-11	See b)(2)b.

(2) Additional Terms and Conditions

a. Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the use of a baghouse controlling the PE from the drum, compliance with the emission limitations, compliance with the rolling, 12-month operational restriction, compliance with the visible emissions limitations, compliance with the operational restrictions regarding the use of used oil, RAP and slag, and fuel restrictions.

b. All used oil burned in this emissions unit shall be on-spec oil and must meet the used oil fuel specifications contained in OAC 3745-279-11, which restricts the used oil to the following limitations:

Contaminant/Property	Allowable Specifications
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum
lead	100 ppm, maximum
total halogens	4,000 ppm maximum*
flash point	100°F, minimum

The used oil burned in this emissions unit shall contain less than the quantifiable levels of PCBs as defined in 40 CFR 761.3; and shall also not exceed the following mercury limitation nor fall below the following heating value:

PCB's	less than 2 ppm
heat content	135,000 Btu/gallon, minimum
mercury	1 ppm, maximum

* Used oil containing more than 1,000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under paragraph (B)(1) of rule 3745-279-10 of the Administrative Code. The permittee may receive and burn used oil exceeding 1,000 ppm total halogens (but less than 4,000 ppm maximum) only if the permittee has demonstrated that the used oil does not contain any hazardous waste pursuant to OAC rule 3745-279-10(B).

The burning of used oil not meeting the above limitations is prohibited in this emissions unit. The management and burning of used oil is subject to the Standards for the Management of Used Oil, OAC Chapter 3745-279, and the permittee shall document and assure that used oils burned

in this emissions unit meet all of the applicable requirements of this Chapter.

c. All number 2 and on-spec used oil burned in this emissions unit shall have a sulfur content equal to or less than 0.5 percent by weight.

d. All number 4 fuel oil burned in this emission unit shall have a sulfur content equal to or less than 0.8 percent, by weight.

e. There shall be no visible emissions of fugitive dust from the enclosures for the hot aggregate elevator(s), vibrating screen(s), and weigh hopper(s).

f. The drop height of the front end loader bucket shall be minimized to the extent possible in order to minimize or eliminate emissions of fugitive dust from the elevator loading area.

g. The aggregate loaded into the storage bins shall have a moisture content sufficient to minimize or eliminate the visible emissions of fugitive dust from the elevator and the transfer point to the dryer.

h. Visible emissions of fugitive dust (from areas other than the enclosures for the hot aggregate elevators, vibrating screens and weigh hoppers) shall be less than or equal to 10 per cent opacity, as a 3-minute average.

i. Visible particulate emissions from the stack shall not exceed 10 per cent opacity, as a six-minute average.

j. At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install (PTI) providing the appropriate notification and exemption requirements have been met. The director may issue a "Notice of Site Approval" through either of the following scenarios:

i. If future location(s) of the proposed portable source are unknown, the approval to relocate the portable source shall be in acquired in accordance with OAC rule 3745-31-03(A)(1)(p)(i) and the following criteria shall be met:

(a) the portable source has been issued a permit to install (PTI) and the permittee continues to comply with any applicable best available technology (BAT) determination;

(b) the portable source is operating pursuant to a currently effective PTI and/or a current permit to operate (PTO) and continues to comply with the requirements of the permit and any applicable state and/or federal rules;

(c) the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the permitting authority (the Ohio EPA District Office or local air agency that has issued the effective current permit) prior to the scheduled relocation;

(d) the Ohio EPA district office or local air agency having jurisdiction over the new site has determined that the permitted emissions would not cause a nuisance in violation of OAC rule 3745-15-07 and that the relocation of the portable source, along with any supporting permitted emissions (e.g. roadways or 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; and

(e) the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07 and the relocation will not result in the installation of a major stationary source or a modification of an existing major stationary source.

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

ii. Pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), the director may issue a "Notice of Site Approval" for any pre-disclosed location(s) if the portable source meets the requirements of OAC rule 3745-31-05(E), as follows:

(a) the portable source has been issued a permit to install (PTI) and the permittee continues to comply with any applicable best available technology (BAT) determination;

(b) the portable source is operating pursuant to a currently effective PTI and/or a current permit to operate (PTO) and continues to comply with the requirements of the permit and any applicable state and/or federal rules;

(c) the permittee has identified the proposed site(s) to the permitting District Office or local air agency;

(d) the permitting District Office/local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);

(e) a public notice, meeting the requirements OAC rule 3745-47, is published in the county where the proposed site(s) is/are located;

(f) the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s); and

(g) the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

The portable source can be relocated upon receipt of the director's "Notice of Site Approval" for the site. Any site approval(s) issued by the Ohio EPA, pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), shall be valid for

no longer than 3 years and are subject to renewal. Pursuant to OAC rule 3745-31-05(F), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

k. If the relocation of the portable source would result in the installation of a 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 PTI 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 or local air agency 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 relocation of the portable source may result in fines and civil penalties.

l. The permittee shall satisfy the "best available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B) by committing to comply with the best available technology (BAT) requirements established pursuant to OAC rule 3745-31-05(A)(3) in this permit to install. The design of the emissions unit and the technology associated with the current operating practices satisfy the BAT requirements.

On November 5, 2002, OAC rule 3745-21-08 was revised to delete paragraph (B); therefore, paragraph (B) is no longer part of the State regulations. On June 24, 2003, the rule revision was submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP); however, until the U.S. EPA approves the revision to OAC rule 3745-21-08, the requirement to satisfy the "best available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

m. The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency (U.S. EPA), 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency (Ohio EPA).

c) Operational Restrictions

(1) The maximum asphaltic concrete production from this plant shall not exceed 500,000 tons/year based upon a rolling, 12-month summation. The maximum asphaltic concrete production from this plant which utilizes slag aggregates shall not exceed 11,000 tons/year based upon a rolling, 12-month summation. The permittee has existing records to document compliance with this requirement upon permit issuance.

(2) The permittee may substitute reclaimed asphalt pavement (RAP) in the raw material feed mix in amounts not to exceed 50 percent of all aggregate materials on an hourly basis. The permittee may not substitute materials for the aggregate such as shingles, rubber, slag in amounts over the limitation above, etc. without prior approval from Ohio EPA.

(3) The permittee shall only burn natural gas, number 2 fuel oil, number 4 fuel oil, and/or on-spec used oil in this emissions unit. In order to use a fuel on an ongoing basis, the permittee shall complete the emissions testing for that fuel per f)(1).

(4) The permittee may not receive or burn any used oil which does not meet the specifications listed in b)(2)b. of this permit without first obtaining a permit-to-install that authorizes the burning of off-specification used oil. The burning of off-specification used oil is subject to OAC rule 3745-279-60 through 67.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall maintain monthly records of the following information for emissions unit P901:

a. the total asphalt production, in tons for each month;

b. the total asphalt produced for each fuel type for each month;

c. the rolling, 12 month summation of the total asphalt production, and asphalt production by fuel type, calculated by adding the current month's asphalt production to the asphalt production for the preceding eleven calendar months;

d. the maximum percentage RAP, and/or other substitute/additive used for any mix type and production using slag; and

e. the rolling 12 month summation of the PE, PM10, SO2, NOx, CO, and OC emissions.

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

Whenever the monitored value for the pressure drop deviates from the range specified below, the permittee shall promptly investigate the cause of the deviation. The permittee

shall maintain records of the following information for each investigation: the date and time the deviation began and the magnitude of the deviation at that time, the date(s) the investigation was conducted, the names of the personnel who conducted the investigation, and the findings and recommendations.

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

The acceptable pressure drop range across the baghouse shall be: 1.0 to 6.0 inches of water while the emissions unit is in operation.

This range is effective for the duration of this permit, unless revisions are requested by the permittee and approved in writing by the appropriate Ohio EPA District Office or local air agency. The permittee may request revisions to the range based upon information obtained during future particulate emission tests that demonstrate compliance with the allowable particulate emission rate for this emissions unit. In addition, approved revisions to the range will not constitute a relaxation of the monitoring requirements of this permit and may be incorporated into this permit by means of an administrative modification.

(3) The permittee shall receive and maintain the chemical analyses from the supplier/marketer for each shipment of used oil burned in this emissions unit, which shall contain the following information:

a. the date the used oil was received at the facility;

b. the name, address, and U.S. EPA identification number (if applicable) of the generator, transporter, processor/re-finer, supplier, and/or marketer;

c. the results of the chemical analyses demonstrating that the used oil meets the standards in OAC 3745-279-11 and does not contain quantifiable levels of PCBs:

i. arsenic content, in ppm;
ii. the cadmium content, in ppm;
iii. the chromium content, in ppm;
iv. the lead content, in ppm;
v. total halogens, in ppm;
vi. the PCB content, in ppm; and
vii. the flash point.

d. the analysis demonstrating that the used oil has a total halogen content below 1,000 ppm, or below 4,000 ppm with the demonstration for the rebuttal of the presumption that the oil is hazardous waste or has been mixed with hazardous waste, as described in OAC rule 3745-279-10(B); and

e. the results of the analyses demonstrating that the used oil meets the heating value and mercury limitation contained in this permit.

The metal contents for arsenic, cadmium, chromium, lead, and mercury shall be analyzed using a "Totals Analysis" or Total Metals" testing methodology, Chapter Two of "Testing Methods for Evaluating Solid Waste, Physical/Chemical Methods (SW-846)" should be referenced to for selecting appropriate test methods for the used oil analyses. Under no circumstances shall the metal contents of the used oil be analyzed using "TCLP", "EP-TOC", or other similar testing procedures, since these tests were developed to gauge leachate mobility from a landfill, of which is an irrelevant property of the used oil burned for energy recovery.

Each analysis shall be kept in a readily accessible location for a period of not less than 5 years following the receipt of each shipment of used oil and shall be made available to the Ohio EPA Division of Hazardous Waste Management and/or the Division of Air Pollution Control (the appropriate Ohio EPA District Office or local air agency) upon verbal or written request. Any authorized representative of the Ohio EPA may sample or require sampling of any used oil shipments received, stored, or burned by/at this facility for periodic detailed chemical analyses, through an independent laboratory.

(4) For each shipment of number 2 fuel oil, number 4 fuel oil and on-spec used oil received for burning in this emissions unit, the permittee shall maintain records of the total quantity of oil received and the permittee's or oil supplier's analyses for sulfur content and heat content.

(5) The permittee shall perform daily visible emission checks, when the emissions unit is in operation and when weather conditions allow, for any visible particulate emissions from the enclosures for the hot aggregate elevator, vibrating screens and weigh hopper servicing this emissions unit. If visible particulate emissions are observed, the permittee shall note the following in the operation log:

a. the color of the visible particulate emissions;

b. the cause of the visible particulate emissions;

c. the total duration of the visible particulate emission incident; and

d. corrective actions taken to eliminate the visible particulate emissions.

The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned visible particulate emissions check frequency if operating experience indicates that less frequent checks would be sufficient to ensure compliance with the visible particulate emissions requirements.

(6) The permittee shall perform daily visible emission checks, when the emissions unit is in operation and when the weather conditions allow, for any abnormal visible particulate emissions from the stack, aggregate storage bins and cold aggregate elevator/conveyor serving this emissions unit. If abnormal visible emissions are observed, the permittee shall note the following in the operation log:

a. the color of the abnormal visible particulate emissions;

b. the cause of the abnormal visible particulate emissions;

c. the total duration of any abnormal visible particulate emissions incident; and

d. any corrective actions taken to eliminate the abnormal visible particulate emissions.

The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency modify the above-mentioned visible particulate emissions check frequency if operating experience indicates that less frequent checks would be sufficient to ensure compliance with the visible particulate emissions requirements.

e) Reporting Requirements

(1) The permittee shall submit quarterly deviation (excursion) reports to the Hamilton County Department of Environmental Services that identify all exceedances of the rolling 12-month total PE, PM10, SO_2, NOx, VOC and CO emission limitations. These reports are due by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

(2) The permittee shall submit quarterly deviation (excursion) reports to the Hamilton County Department of Environmental Services that identify all exceedances of the rolling, 12-month asphalt production limitations in c)(1) and/or the RAP percentage limitation in c)(2).

(3) The permittee shall notify the USEPA and the Ohio EPA if any of the used oil exceeds the specification in d)(3) and/or OAC rule 3745-279-11. If the permittee burns used oil which exceeds the specifications found in OAC rule 3745-279-11, the permittee is subject to that rule and must comply with all provisions of the rule. The required notification shall be submitted within 30 days of the date in which the exceedance occurred.

(4) 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.

(5) The following source is subject to the applicable provision of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60.

Source Number	Source Description	NSPS Regulation (Subpart)
P901	300 ton/hr asphalt plant	Subpart I

The application and enforcement of these standards are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.

Pursuant to NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:

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 the Hamilton County Department of Environmental Services.

f) Testing Requirements

(1) Emission Limitation:

Nitrogen oxides (NOx) emissions from the stack shall not exceed 7.5 pounds per hour when burning natural gas and 36.0 pounds per hour when burning oil.

Sulfur dioxide (SO2) emissions from the stack shall not exceed 1.4 pounds per hour when burning natural gas; 26.4 pounds per hour when burning oil; and 159.0 pounds per hour while using slag as aggregate.

Organic compounds (OC) emissions from the stack shall not exceed 9.0 pounds per hour when burning natural gas and oil.

Carbon monoxide (CO) emissions from the stack shall not exceed 32.8 pounds per hour when burning natural gas and oil.

Particulate emissions (PE) form the fabric filter exhaust stack shall not exceed 10.35 pounds per hour when burning natural gas or oil.

Particulate matter 10 microns and less in diameter (PM10) form the fabric filter exhaust stack shall not exceed 4.14 pounds per hour when burning natural gas or oil.

PE while burning any approved fuel shall not exceed 0.04 gr/dscf.

Applicable Compliance Method:

The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

a. Emission testing for secondary fuels shall be conducted within 60 days after the switch to the secondary fuel.

b. The emission testing shall be conducted to demonstrate compliance with the allowable mass emission rates for PE, VOC, CO, NOx and SO2 for the primary fuel. Prior to secondary fuel emissions testing, the permittee shall consult the appropriate Ohio EPA District Office or local air agency to determine which pollutants should be tested.

c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s) for:

PE, Methods 1-5 of 40 CFR Part 60, Appendix A.

NOx, Methods 1-4 and 7 or 7E of 40 CFR Part 60, Appendix A.

SO2, Methods 1-4 and 6 or 6C of 40 CFR Part 60, Appendix A.

CO, Methods 1-4 and 10 of 40 CFR Part 60, Appendix A.

VOC, Methods 1-4 and 25 and/or 18 of 40 CFR Part 60, Appendix A.

The VOC pounds per hour emission rate observed during the emission test shall be calculated in accordance with OAC paragraph 3745-21-10(C)(7) where the average molecular weight of the VOC emissions equals 16. i.e., the VOC as carbon emission rate observed during testing shall be converted to the appropriate units by multiplying the VOC as carbon emission rate observed during testing by 16 and dividing by 12.

Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

d. The test(s) shall be conducted while this emissions unit is operating at or near its maximum capacity and burning natural gas, number 2 fuel oil, or on-spec used oil for PE, VOC, CO, NOx and SO2 and employing RAP to verify VOC emissions, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.

e. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the appropriate Ohio EPA District Office or local air agency's refusal to accept the results of the emission test(s).

Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the

appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

Emission Limitations:

Rolling, 12-month emissions shall not exceed the following:
PE shall not exceed 8.63 TPY from stack.
PM10 shall not exceed 3.45 TPY from stack.
SO2 emissions shall not exceed 24.9 TPY.
NOx emissions shall not exceed 30.0 TPY.
CO emissions shall not exceed 28.14 TPY.
OC emissions shall not exceed 7.5 TPY.

Applicable Compliance Method:

Compliance shall be determined by multiplying the observed emission rate from the most recent emission testing, in pounds of pollutant per ton of asphalt produced for each fuel, by the actual rolling 12 month summation of asphalt produced for each fuel, in tons per rolling 12-month period summing the results for all fuels, and dividing by 2000.

Emission Limitations:

Arsenic, cadmium, chromium and lead emissions are limited by the fuel specifications in b)(2)b.

Applicable Compliance Method:

Compliance with the emission limitation for arsenic, cadmium and lead shall be demonstrated by the monitoring and record keeping in d)(3) of this permit.

Emission Limitations:

There shall be no visible emissions of fugitive dust from the enclosures for the hot aggregate elevator(s), vibrating screen(s), and weigh hopper(s).

Applicable Compliance Method:

Compliance with the limitation on visible emissions of fugitive dust found in b)(2)e. of this permit shall be demonstrated by the monitoring and record keeping in d)(5). Upon request by the appropriate Ohio EPA District Office or local air agency, compliance 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, as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

Emission Limitations:

Visible emissions of fugitive dust (from areas other than the enclosures for the hot aggregate elevators, vibrating screens and weigh hoppers) shall be less than or equal to 10 per cent opacity, as a 3-minute average.

Applicable Compliance Method:

Upon request by the appropriate Ohio EPA District Office or local air agency, compliance shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("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.

Emission Limitation:

Visible particulate emissions from the stack shall not exceed 10 per cent opacity, as a six-minute average.

Applicable Compliance Method:

Upon request by the appropriate Ohio EPA District Office or local air agency, compliance shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("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.

Emission Limitations:

Fugitive PE/PM10 emissions associated with the cold aggregate, sand and RAP loading, and the cold aggregate, sand and RAP transfer operations shall not exceed 3.53 tons per rolling, 12-month period for PE and 1.68 tons per rolling, 12-month period for PM10.

Applicable Compliance Method:

Compliance shall be calculated based upon the following worst case calculations (Emission factors based on AP-42, 5th Edition, Table 11.12-2, 10/2001):

Fugitive emissions from the cold end are calculated as follows:

Hopper loading:

500,000 tons of material/year X 0.0051 lb of PE/ton of material = 2550 lbs of PE/yr; and
500,000 tons of material/year X 0.0024 lb of PM10/ton of material = 1200 lbs of PM10/yr.

Aggregate transfer:

500,000 tons of aggregate/year X 0.0069 lb of PE/ton of aggregate = 3450 lb of PE/yr; and 500,000 tons of aggregate/year X 0.0033 lb of PM10/ton of aggregate = 1650 lb of PM10/yr.

Sand transfer:

500,000 tons of sand/year X 0.0021 lb of PE/ton of sand = 1050 lb of PE/yr; and
500,000 tons of sand/year X 0.00099 lb of PM10/ton of sand = 495 lb of PM10/yr.

The sum of the above is 7050 lb of PE/yr X 1 ton/2000 lbs = 3.53 tons of PE; and
The sum of the above is 3010.5 lb of PM10/yr X 1 ton/2000 lbs = 1.68 tons of PM10.

Asphalt Load out and Silo Filling Emissions:

Emissions from load out operations shall not exceed 0.34 ton of CO per rolling 12-month period, 0.14 ton of PE per rolling 12-month period and 1.04 tons of OC per rolling 12-month period.

Emissions from silo filling operations shall not exceed 0.30 ton of CO per rolling 12-month period, 0.15 ton of PE per rolling 12-month period and 3.05 tons of OC per rolling 12-month period.

Emissions from asphalt load out and silo filling operations are calculated as follows:

Asphalt plant silo filling and plant load out Emission Factors based on AP-42, Fifth Edition, Table 11.1-14, dated 3/2004.

Known:
V = -0.5 Asphalt volatility factor (default)

T = 325 HMA mix temp (F) (default)

Activity	Pollutant	Predictive Emission Factor Equation, lb/ton
Silo filling	PE	$EF = 0.000332+0.00105(-V)e^{((0.0251)(T+460)-20.43)}$
Load out	PE	$EF = 0.000181+0.00141(-V)e^{((0.0251)(T+460)-20.43)}$
Silo filling	OC	$EF = 0.0504(-V)e^{((0.0251)(T+460)-20.43)}$
Load out	OC	$EF = 0.0172(-V)e^{((0.0251)(T+460)-20.43)}$
Silo filling	CO	$EF = 0.00488(-V)e^{((0.0251)(T+460)-20.43)}$
Load out	CO	$EF = 0.00558(-V)e^{((0.0251)(T+460)-20.43)}$

Based on the above information, the emission factors and emissions are as follows.

Activity/Pollutant		lb/ton	tons/yr (at 500,000 tons/yr production)
Silo filling	PE	5.86×10^{-4}	0.15
Load out	PE	5.22×10^{-4}	0.14
Silo filling	OC	1.22×10^{-2}	3.05
Load out	OC	4.16×10^{-3}	1.04
Silo filling	CO	1.18×10^{-3}	0.30
Load out	CO	1.35×10^{-3}	0.34

The PM10 emissions are assumed equivalent to the PE.

(2) Compliance with the asphalt production limitations in c)(1) shall be demonstrated by the record keeping in d)(1).

(3) Compliance with the operational restriction in c)(2) shall be demonstrated by the record keeping in d)(1).

(4) Compliance with used oil limitations in b)(2)b. shall be determined by the recordkeeping in d)(3).

(5) Compliance with the sulfur content limitation in b)(2)c. and b)(2)d. shall be demonstrated by the recordkeeping in d)(4).

g) Miscellaneous Requirements

(1) This permit to install and operate supersedes Permit to Install 14-3756 issued May 27, 2004.

(2) The following terms and conditions of this permit are federally enforceable: a) through g).