



State of Ohio Environmental Protection Agency

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Columbus, OH 43216-1049

12/24/2009

Certified Mail

James Clarke
Mineral Trading Company, LLC - Portable Coal Crusher
160 Cunningham Ave. , Suite 2
Cadiz, OH 43907

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

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 0634005001
Permit Number: P0104658
Permit Type: Initial Installation
County: Harrison

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 Ohio EPA DAPC, Southeast District Office. 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: Ohio EPA-SEDO

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
Mineral Trading Company, LLC - Portable Coal Crusher**

Facility ID: 0634005001
Permit Number: P0104658
Permit Type: Initial Installation
Issued: 12/24/2009
Effective: 12/24/2009
Expiration: 12/24/2019



Air Pollution Permit-to-Install and Operate
for
Mineral Trading Company, LLC - Portable Coal Crusher

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Division of Air Pollution Control

Final Permit-to-Install and Operate
Permit Number: P0104658
Facility ID: 0634005001
Effective Date: 12/24/2009

Authorization

Facility ID: 0634005001
Application Number(s): A0037236
Permit Number: P0104658
Permit Description: 150 tph Jim Pyle Mighty Mite portable coal crusher (561,600 TPY maximum throughput) (including load-in /load-out of the crusher) powered by a 350 HP diesel engine with roadways and storage pile.
Permit Type: Initial Installation
Permit Fee: \$2,300.00
Issue Date: 12/24/2009
Effective Date: 12/24/2009
Expiration Date: 12/24/2019
Permit Evaluation Report (PER) Annual Date: Apr 1 - Mar 31, Due May 15

This document constitutes issuance to:

Mineral Trading Company, LLC - Portable Coal Crusher
89000 Fleming Rd.
Jewett, OH 43986

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

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

Ohio EPA DAPC, Southeast District Office
2195 Front Street
Logan, OH 43138
(740)385-8501

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: P0104658
Permit Description: 150 tph Jim Pyle Mighty Mite portable coal crusher (561,600 TPY maximum throughput) (including load-in /load-out of the crusher) powered by a 350 HP diesel engine with roadways and storage pile.

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 with Crusher |
| Superseded Permit Number: | |
| General Permit Category and Type: | Not Applicable |
| Emissions Unit ID: | F002 |
| Company Equipment ID: | Coal Storage Piles |
| Superseded Permit Number: | |
| General Permit Category and Type: | Not Applicable |
| Emissions Unit ID: | P901 |
| Company Equipment ID: | Coal Crusher |
| Superseded Permit Number: | |
| General Permit Category and Type: | Not Applicable |



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install and Operate

Permit Number: P0104658

Facility ID: 0634005001

Effective Date: 12/24/2009

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 Ohio EPA DAPC, Southeast District Office in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

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

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

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

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

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

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

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

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

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

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



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install and Operate

Permit Number: P0104658

Facility ID: 0634005001

Effective Date: 12/24/2009

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.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install and Operate

Permit Number: P0104658

Facility ID: 0634005001

Effective Date: 12/24/2009

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: P0104658

Facility ID: 0634005001

Effective Date: 12/24/2009

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.
2. The following emission units contained in this permit are subject to 40 CFR Part 60, Subpart Y: P901. The complete NSPS requirements may be accessed via the internet from the Electronic Code of Federal Regulations (e-CFR) website <http://ecfr.gpoaccess.gov> or by contacting the appropriate Ohio EPA District Office or local air agency.



State of Ohio Environmental Protection Agency
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Final Permit-to-Install and Operate

Permit Number: P0104658

Facility ID: 0634005001

Effective Date: 12/24/2009

C. Emissions Unit Terms and Conditions



1. F001, Roads and Parking

Operations, Property and/or Equipment Description:

Portable Unpaved Roadways and Parking Areas associated with the 150 tph portable coal crusher (with a maximum of 22,309 vehicle miles traveled per year)

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)(a)(ii)	See b)(2)a. below.
b.	OAC rule 3745-17-07(B)(5) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	There shall be no visible particulate emissions from unpaved roadways except for a period of time not to exceed 13 minutes during any 60-minute observation period.
c.	OAC rule 3745-17-08(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	Use of reasonably available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. See b)(2)b. through b)(2)f.



(2) Additional Terms and Conditions

- a. The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the particulate emissions (PE) from this air contaminant source since the uncontrolled potential to emit for PE is less than ten tons per year.
- b. When located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall employ reasonable 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 application, the permittee has committed to treat the unpaved roadways and parking areas by application of chemical stabilization/dust suppressants and/or watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- c. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for unpaved roadways and parking areas that are covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- d. 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 any combination of flushing, sweeping, 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 area that is paved shall be subject to the visible emission limitation of no visible particulate emissions except for a period of time not to exceed one minute during any sixty minute observation period.
- e. The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- f. Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.

c) Operational Restrictions

- (1) None.



d) Monitoring and/or Recordkeeping Requirements

(1) Except as otherwise provided in this section, When located in an area identified in Appendix A of OAC rule 3745-17-08, 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>
unpaved roads	daily
unpaved 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) When located in an area identified in Appendix A of OAC rule 3745-17-08, 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.

e) Reporting Requirements

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

f) Testing Requirements

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



a. Emission Limitation:

There shall be no visible particulate emissions from unpaved roadways except for a period of time not to exceed 13 minutes during any 60-minute observation period.

Applicable Compliance Method:

If required, compliance shall be determined in accordance with U.S. EPA Method 22.

g) Miscellaneous Requirements

- (1) 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 and operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a "Notice of Site Approval" for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).
- (2) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:
 - a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and,
 - b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).
- (3) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:
 - a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;
 - b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source 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
 - c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.



Using the 30-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval".

- (4) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:
- a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;
 - b. 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);
 - c. 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);
 - d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located;
 - e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31-05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

- (5) 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.
- (6) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. 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(LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. 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 Chapter 3745-77, which may include the requirement to apply for a Title V permit.



2. F002, Storage Piles

Operations, Property and/or Equipment Description:

Portable Storage Piles, including load-in, load-out and wind erosion activities (for the 150 tph portable coal crusher) with a maximum production of 561,600 tons/year and a maximum storage pile surface area of 0.3 acres (13,068 square feet total).

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.

(b) 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)(a)(ii)	See b)(2)a. below.
b.	OAC rule 3745-17-07(B)(6) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	There shall be no visible particulate emissions from the storage piles except for a period of time not to exceed 13 minutes during any 60-minute observation period.
c.	OAC rule 3745-17-08(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	Use of reasonably available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. See b)(2)d. through b)(2)h.



(2) Additional Terms and Conditions

- a. The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the particulate emissions (PE) from this air contaminant source since the uncontrolled potential to emit for PE is less than ten tons per year.
- b. The storage piles that are covered by this permit and subject to the above-mentioned requirements are listed below:

1 – 0.15 Acre (each) Raw Coal Storage Piles

1 – 0.15 Acre (each) Crushed Coal Storage Piles
- c. The storage pile load-in/load-out operations that are covered by this permit and subject to the above-mentioned requirements are listed below:

Load-in / Load-out of Raw Coal and Crushed Coal Storage Piles
- d. When located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall employ reasonable 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 application, the permittee has committed to maintain minimal drop heights for stackers and front-loaders, and chemical stabilization/dust suppressants and/or watering/sprinkling systems at sufficient treatment frequencies to ensure compliance.
- e. The operator shall avoid dragging any front-end loader bucket along the ground. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- f. The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
- g. When located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall employ reasonable 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 application, the permittee has committed to perform one or more of the following: (chemical stabilization, watering/sprinkling systems/hoses, covering the storage piles) to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- h. 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.

c) Operational Restrictions

- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) Except as otherwise provided in this section, when located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall perform inspections of each load-in operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-in inspection frequency</u>
all	daily

- (2) Except as otherwise provided in this section, when located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall perform inspections of each load-out operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-out inspection frequency</u>
all	daily

- (3) Except as otherwise provided in this section, when located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum wind erosion inspection frequency</u>
all	daily

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

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

- (6) When located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall maintain records of the following information:



- a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
- b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
- c. the dates the control measures were implemented; and
- d. on a calendar quarter basis, the total number of days the control measures were implemented and, for wind erosion from pile surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).

The information required in d)(6)d. shall be kept separately for :

- i. the load-in operations,
- ii. the load-out operations, and
- iii. the pile surfaces (wind erosion), and

shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

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

f) Testing Requirements

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

a. Emission Limitation:

There shall be no visible particulate emissions from the storage piles except for a period of time not to exceed 13 minutes during any 60-minute observation period.

Applicable Compliance Method:

If required, visible emissions of fugitive dust shall be determined according to USEPA Method 22.

g) Miscellaneous Requirements

- (1) 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 and



operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a "Notice of Site Approval" for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).

- (2) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:
 - a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and,
 - b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).
- (3) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:
 - a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;
 - b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source 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
 - c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval".

- (4) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:
 - a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;
 - b. 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);



- c. 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);
- d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located;
- e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31-05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

- (5) 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.
- (6) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. 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(LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. 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 Chapter 3745-77, which may include the requirement to apply for a Title V permit.



3. P901, Portable Coal Crusher

Operations, Property and/or Equipment Description:

150 tph Jim Pyle Mighty Mite portable coal crusher (561,600 TPY maximum throughput) (including load-in /load-out of the crusher) powered by a 350 HP diesel engine.

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. g)(7)

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

a. 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
150 TPH Jim Pyle Mighty Mite Portable Coal Crusher		
a.	OAC rule 3745-31-05(A)(3)	Fugitive particulate emissions (PE) shall not exceed 39.9 tons/year. There shall be no visible PE except for one minute during any 60-minute period. The permittee shall implement best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. See b)(2)b. through b)(2)c. below.
b.	OAC rule 3745-17-07(B)(1) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
c.	OAC rule 3745-17-08(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
d.	40 CFR Part 60, Subpart Y (40 CFR 60.250 – 60.254) [In accordance with 40 CFR 60.250(a), this emission unit is coal processing, conveying and transferring equipment which includes affected facilities listed in 40 CFR 60.250(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).
350 HP Diesel Engine for Portable Coal Crusher		
e.	OAC rule 3745-31-05(A)(3)	Nitrogen oxides (NO _x) emissions shall not exceed 10.9 pounds per hour and 47.9 TPY. Carbon monoxide (CO) emissions shall not exceed 2.4 pounds per hour and 10.3 TPY. The requirements of this rule also include compliance with the requirements of OAC rules 3745-17-07(A)(1), and 3745-17-11(B)(5)(a).
f.	OAC rule 3745-31-05(A)(3)(a)(ii)	See b)(2)d. below.
g.	OAC rule 3745-17-07(A)(1)	Visible particulate emissions (PE) from any stack serving this emissions unit shall not exceed 20 percent opacity as a six-minute average, except as provided by rule.
h.	OAC rule 3745-17-11(B)(5)(a)	PE shall not exceed 0.310 pound/million Btu of actual heat input.
i.	OAC rule 3745-18-06(G)	This emissions unit is exempt from the requirements of OAC rule 3745-18-06(G) pursuant to OAC rule 3745-18-06(B).
j.	OAC rule 3745-21-08(B)	See b)(2)e.

(2) Additional Terms and Conditions

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

Load-in / Load-out of Coal Crusher
 Coal Crusher and conveyor belt (crushing and conveying)



- b. When located in an area identified in Appendix A of OAC rule 3745-17-08, the permittee shall employ best available control measures for the material handling operations listed above, 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 maintain sufficient moisture content of the material, using water sprays as necessary, to maintain compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- c. For each material handling operation that is not adequately enclosed, the above-identified control measures shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during the operation of the material handling operations until further observation confirms that use of the control measures is unnecessary.
- d. The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the Sulfur dioxide (SO₂), or Volatile Organic Compounds (VOC) emissions from this emission unit since the uncontrolled potential to emit for SO₂ and VOC's are each less than ten tons per year.
- e. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.
- f. The permittee has satisfied the "latest available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B).

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. However, that rule revision has not yet been submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions 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.

c) Operational Restrictions

- (1) The permittee shall only burn diesel fuel.

d) Monitoring and/or Recordkeeping Requirements

- (1) For each day during which the permittee burns a fuel other than diesel fuel, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.
- (2) Except as otherwise provided in this section, for coal crushing operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:



<u>process operation(s)</u>	<u>minimum inspection frequency</u>
Load-in / Load-out of Coal Crusher	Daily
Coal Crushing and conveying	Daily

The above-mentioned inspections shall be performed during representative, normal operating conditions.

- (3) For the crushing operations, the permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control 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.

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

e) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director 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) Pursuant to 40 CFR Part 60.7, the source owner/operator is hereby advised of the requirement to report the following at 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:

Ohio Environmental Protection Agency
DAPC- Permit Management Unit
50 West Town Street, Suite 700
PO Box 1049
Columbus, Ohio 43216-1049

and



Ohio EPA Southeast District Office
Division of Air Pollution Control
2195 Front Street
Logan, Ohio 43138.

f) Testing Requirements

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

150 TPH Jim Pyle Mighty Mite Portable Coal Crusher

a. Emission Limitation:

Fugitive particulate emissions (PE) shall not exceed 39.9 tons/year.

Applicable Compliance Method:

Compliance shall be determined based on the calculation for Crusher Feed, Primary Crushing based on the emissions factors supplied by the permittee in the permit application. Initial compliance has been determined utilizing inputs representing current conditions as follows:

Annual throughput : 1,314,000 Tons per Year

Crusher Feed:

$(1,314,000 \text{ TPY}) (0.007 \text{ lb/T})(1 \text{ T}/2,000 \text{ lb}) (90\% \text{ control based on PTIO application } (0.1)) = 0.46 \text{ TPY}$

Primary Crushing:

$(1,314,000 \text{ TPY}) (0.2 \text{ lb/T})(1 \text{ T}/2,000 \text{ lb}) (70\% \text{ control based on PTIO application } (0.3)) = 39.42 \text{ TPY}$

Crusher Feed + Primary Crushing = 39.9 TPY total

b. Emission Limitation:

There shall be no visible PE except for one minute during any 60-minute period.

Applicable Compliance Method:

If required, visible emissions of fugitive dust shall be determined according to USEPA Method 22.

- c. The permittee shall comply with the applicable testing requirements required under 40 CFR Part 60, Subpart Y, including the following sections:

60.254 (a) - (b)	testing requirements [see f)(2) below]
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350 HP Diesel Engine for Portable Coal Crusher

d. Emission Limitation:

Nitrogen oxides (NO_x) emissions shall not exceed 10.9 pounds per hour and 47.9 TPY.

Applicable Compliance Method:

Compliance with the lbs/hr emission limitation shall be demonstrated by multiplying the emission factor for NO_x from AP-42, Table 3.3-1, 10/1996 (0.031 lb/HP-hr) by the rated capacity of P901 (353 HP). Compliance with the tons per year limitation is demonstrated by multiplying the lbs/hr emission calculation by 8,760 hrs/yr, then dividing by 2,000 lbs/ton.

If required, NO_x emissions shall be determined according to test Methods 1 - 4, and 7 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

e. Emission Limitation:

Carbon monoxide (CO) emissions shall not exceed 2.4 pounds per hour and 10.3 TPY.

Applicable Compliance Method:

Compliance with the emissions limitation shall be demonstrated by multiplying the emissions factor from AP-42, Table 3.3-1, 10/1996 (0.95 lb/MMBtu) by the maximum rated capacity of emissions unit P901 (2.481 MMBtu/hr), multiplying by the total number of hours of operation, and dividing by 2,000 lbs/ton.

Compliance with the annual emission limitation is demonstrated by multiplying the actual annual hours of operation and the uncontrolled emission factor for CO from AP-42, Table 3.3-1 (10/96) of 0.95 lb/MMBtu by the maximum rated capacity of P901 (2.481 MMBtu/hr), then dividing by 2,000 lbs/ton.

If required, CO emissions shall be determined according to test Methods 1 - 4, and 10 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources". Alternative U.S. EPA-approved test methods may be used with prior approval from Ohio EPA, Southeast District Office.

f. Emission Limitation:

Visible PE from any stack serving this emissions unit shall not exceed 20 percent opacity as a six-minute average, except as provided by rule.



Applicable Compliance Method:

If required, visible particulate emissions shall be determined according to USEPA Method 9.

g. Emission Limitation:

PE shall not exceed 0.310 pound/million Btu of actual heat input.

Applicable Compliance Method:

Compliance shall be based upon an emission factor of 0.310 lb/million Btu. This emission factor is specified in the U.S. EPA reference document AP-42, Fifth Edition, Compilation of Air Pollution Emission Factors, Section 3.3, Table 3.3-1 (10/96).

If required, particulate emissions shall be determined according to USEPA Methods 1 - 5.

(2) Performance testing shall be conducted as required in 40 CFR Part 60 Subpart Y. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

- a. The emission testing shall be conducted within 60 days after achieving the maximum production rate at which the emissions unit will be operated, but not later than 180 days after initial startup of the emissions unit.
- b. The emissions testing shall be conducted to demonstrate compliance with the visible emission limitations for fugitive emissions from any transfer point on belt conveyors, the crusher or from any other affected facility as specified in b)(2)a. of this permit, and in accordance with the requirements of 40 CFR Part 60.675.
- c. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s): for visible emissions, Method 22 of 40 CFR 60, Appendix A.
- d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Ohio EPA, Southeast District Office.
- e. No later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA, Southeast District Office. 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 Ohio EPA, Southeast District Office's refusal to accept the results of the emissions test(s).
- f. Personnel from the Ohio EPA, Southeast District Office 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.

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

g) **Miscellaneous Requirements**

- (1) 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 to operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a "Notice of Site Approval" for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).
- (2) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:
 - a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and,
 - b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).
- (3) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:
 - a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;
 - b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source 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
 - c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.



Using the 30-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval".

- (4) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:
- a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;
 - b. 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);
 - c. 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);
 - d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located;
 - e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31-05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

- (5) 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.
- (6) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. 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(LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. 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 Chapter 3745-77, which may include the requirement to apply for a Title V permit.
- (7) Modeling to demonstrate compliance with the "Toxic Air Contaminant Statute" in ORC 3704.03(F)(4)(b) was not necessary because the emissions unit's maximum annual emissions for each toxic air contaminant, as defined in OAC rule 3745-114-01, will be less than 1.0 ton per year. OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install and Operate

Permit Number: P0104658

Facility ID: 0634005001

Effective Date: 12/24/2009

OAC rule 3745-31-01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any toxic air contaminant to increase to above 1.0 ton per year may require the permittee to apply for and obtain a new PTI or PTIO.