



State of Ohio Environmental Protection Agency

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50 W. Town St., Suite 700  
Columbus, Ohio 43215

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www.epa.ohio.gov

MAILING ADDRESS:

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

1/5/2010

Certified Mail

STEVE CHANDLER  
Minerva Enterprises, LLC  
8955 MINERVA RD  
PO BOX 709  
WAYNESBURG, OH 44688

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

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE  
Facility ID: 1576001700  
Permit Number: P0104984  
Permit Type: OAC Chapter 3745-31 Modification  
County: Stark

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](http://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](http://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 Canton City Health Department. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page [www.epa.ohio.gov/dapc](http://www.epa.ohio.gov/dapc).

Sincerely,

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

Cc: Canton

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  
Minerva Enterprises, LLC**

Facility ID: 1576001700  
Permit Number: P0104984  
Permit Type: OAC Chapter 3745-31 Modification  
Issued: 1/5/2010  
Effective: 1/5/2010  
Expiration: 1/5/2020





State of Ohio Environmental Protection Agency  
 Division of Air Pollution Control

**Air Pollution Permit-to-Install and Operate**  
 for  
 Minerva Enterprises, LLC

**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. F001, C & D Material Handling ..... 11

    2. F002, Roadways ..... 13

    3. F003, Asbestos Disposal ..... 17





State of Ohio Environmental Protection Agency  
Division of Air Pollution Control

**Final Permit-to-Install and Operate**  
**Permit Number:** P0104984  
**Facility ID:** 1576001700  
**Effective Date:** 1/5/2010

# Authorization

Facility ID: 1576001700  
Application Number(s): A0037300  
Permit Number: P0104984  
Permit Description: C&D Landfill for asbestos containing wastes  
Permit Type: OAC Chapter 3745-31 Modification  
Permit Fee: \$2,500.00  
Issue Date: 1/5/2010  
Effective Date: 1/5/2010  
Expiration Date: 1/5/2020  
Permit Evaluation Report (PER) Annual Date: Oct 1 - Sept 30, Due Nov 15

This document constitutes issuance to:

Minerva Enterprises, LLC  
9000 MINERVA RD  
Waynesburg, OH 44688

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:

Canton City Health Department  
420 Market Avenue  
Canton, OH 44702-1544  
(330)489-3385

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: P0104984  
Permit Description: C&D Landfill for asbestos containing wastes

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

<b>Emissions Unit ID:</b>	<b>F001</b>
Company Equipment ID:	Material Handling
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
<b>Emissions Unit ID:</b>	<b>F002</b>
Company Equipment ID:	Roadways
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
<b>Emissions Unit ID:</b>	<b>F003</b>
Company Equipment ID:	Asbestos Disposal
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:** P0104984

**Facility ID:** 1576001700

**Effective Date:** 1/5/2010

## **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 Canton City Health Department 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:** P0104984

**Facility ID:** 1576001700

**Effective Date:** 1/5/2010

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**

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**Effective Date:** 1/5/2010

## **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.



State of Ohio Environmental Protection Agency  
Division of Air Pollution Control

**Final Permit-to-Install and Operate**

**Permit Number:** P0104984

**Facility ID:** 1576001700

**Effective Date:** 1/5/2010

## **C. Emissions Unit Terms and Conditions**



**1. F001, C & D Material Handling**

**Operations, Property and/or Equipment Description:**

Material Handling Operations for the Landfill Disposal of Construction & Demolition Wastes, Non-toxic Spent Foundry Sand, Non-toxic Fly Ash, Non-toxic Bottom Ash, and other Exempted Wastes.

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.

(1) 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.

(1) 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.	This PTIO supercedes PTI 15-766 Modification	Visible particulate emissions limitation as defined in Additional Term and Conditions

(2) Additional Terms and Conditions

a. All vehicles hauling construction and demolition (C&D) material shall be closed, covered or tarped coming to or leaving the facility in order to minimize visible emissions of fugitive dust and to eliminate load loss.



- b. The emissions unit is exempt from the visible particulate emission limitation for fugitive dust, specified in OAC rule 3745-17-07(B), pursuant to OAC rule 3745-17-07(B)(11)(e), because the emission unit is not located within areas defined in Appendix A of OAC rule 3745-17-03.
- c) Operational Restrictions
  - (1) None
- d) Monitoring and/or Record Keeping Requirements
  - (1) This facility shall maintain the following records:
    - a. The dates and type of cleanup of any materials deposited on the public roadways;
    - b. The date, time, and method of cleaning the facility's paved roads;
    - c. The date and time when dust suppressants or water were applied to the paved and unpaved roadways and parking lots ( If water is not applied due to wet conditions or temperature, this shall be documented.);
    - d. The amount of dust suppressant chemicals purchased per year and the total amounts applied during the year.
  - (2) These records shall be maintained at the facility in a bound logbook for a period of not less than three years and the records shall be available for review by the Director or his representative during normal business hours.
- e) Reporting Requirements
  - (1) None
- f) Testing Requirements
  - (1) None
- g) Miscellaneous Requirements
  - (1) None



**2. F002, Roadways**

**Operations, Property and/or Equipment Description:**

Modification to allow more truck traffic to the plant roadways and parking areas emissions unit.

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 operation(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be employed. Additional applicable emissions limitations and/or control measures (if any) may be specified in narrative form following the table.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC 3745-17-07(B)(1)	Plant Roadways and Parking Lots for the C & D Landfill.  Visible particulate emissions limitation is less stringent than the visible emission limitation established pursuant to OAC rule 3745-31-05(A)(3).



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
b.	OAC rule 3745-31-05(A)(3) PTI 15-766 and PTI 15-766 Modification	29 lbs PM/hr 38 TPY PM

(2) Additional Terms and Conditions

a. FOR PAVED ROADWAYS and PARKING AREAS

- i. This facility shall pave the entrance to the facility on State Route 43 and 183 with asphalt as per the Permit To Install application;
- ii. This facility shall clean the paved roads and parking areas at least once daily and more often if necessary to meet the visible emission limit in (2) f. The cleaning shall be performed using flushing water, vacuum sweeping with vacuum sweeping equipment which utilizes a fabric filter, or flushing and sweeping. The facility shall maintain and operate such equipment to clean the paved road and parking areas;
- iii. This facility, by whatever means at their disposal, shall maintain the paved roadways within the facility free of gross quantities of mud or foreign material in order to prevent tracking of materials onto the road surfaces and sides of public roadways which are outside the facility. This action shall be performed at least once per day and more often if necessary;
- iv. Should mud, dust, or other foreign materials be deposited onto the public roadways at the point(s) of venue to this facility, such material shall be cleaned off the public roadways on a daily basis;
- v. In order to minimize the deposition of mud or foreign materials onto public roadways from this facility, all vehicles which enter or exit the facility, and which travel on the public roadways, while in the facility, shall remain on the developed facility roadways and parking lots to the extent possible to avoid picking up mud or other materials on the vehicle tires or undercarriages;
- vi. All materials which are spilled on the facility roadways must be cleaned up promptly to avoid tracking the material.



- vii. Speed zones of no more than 10 miles per hour shall be established, posted, and enforced by the owner or operator for all vehicles within the facility or facility controlled access roads.
- viii. For the paved roads and parking areas, there shall be no visible particulate emissions except for a period of time not to exceed one minute during any sixty-minute observation period with compliance to be determined using Test Method 22 as defined in OAC rule 3745-17-03(B) (4).

b. **FOR UNPAVED ROADWAYS AND PARKING LOTS**

- i. The facility roadbeds shall be aggregate covered, unless paved. This facility shall apply suitable dust suppressant materials as often as necessary to meet the visible particulate limitation. The use of dust suppression chemicals may be supplemented by the application of water but the use of dust suppression chemicals shall be the major method of dust control.
- ii. Should materials be deposited onto the public roadways at the point(s) of venue to the facility, such material must be cleaned off the public road on a daily basis.
- iii. In order to minimize the deposition of mud or foreign materials onto public roadways from this facility, all vehicles which enter or exit the facility, and which travel on the public roadways, while in the facility, shall remain on the developed facility roadways and parking lots to the extent possible to avoid picking up mud or other materials on the vehicle tires or undercarriages.
- iv. All materials which are spilled on the facility roadways must be cleaned up promptly to avoid tracking the material.
- v. Speed zones of no more than 10 miles per hour shall be established, posted, and enforced by the owner or operator for all vehicles within the facility or facility controlled access roads.
- vi. There shall be no visible particulate emissions from any unpaved roadway or parking lot, except for a period of time not to exceed three minutes during any sixty-minute observation period with compliance to be determined using Test Method 22 as defined in OAC rule 3745-17-03 (B)
- vii. The roadway and parking lot watering requirements shall be waived during wet conditions and when there is sufficient moisture to prevent visible particulate emissions of fugitive dust, or, when the



ambient temperature is too low to use watering as a control method.

- c) Operational Restrictions
  - (1) None
- d) Monitoring and/or Record Keeping Requirements
  - (1) This facility shall maintain the following records:
    - a. The dates and type of cleanup of any materials deposited on the public roadways;
    - b. The date, time, and method of cleaning the facility's paved roads;
    - c. The date and time when dust suppressants or water were applied to the paved and unpaved roadways and parking lots ( If water is not applied due to wet conditions or temperature, this shall be documented.); and
    - d. The amount of dust suppressant chemicals purchased per year and the total amounts applied during the year.
  - (2) These records shall be maintained at the facility in a bound logbook for a period of not less than three years and the records shall be available for review by the Director or his representative during normal business hours.
- e) Reporting Requirements
  - (1) None
- f) Testing Requirements
  - (1) None
- g) Miscellaneous Requirements
  - (1) None



**3. F003, Asbestos Disposal**

**Operations, Property and/or Equipment Description:**

Construction and Demolition Waste Landfill Approved to Accept NESHAP-regulated Asbestos-containing Waste Materials

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.	40 CFR 61.154(a) and (e) and OAC rule 3745-20-06  This PTIO supercedes PTI 15-1292 Modification NESHAP 40 FCR Part 61, Subpart M	Permittee shall not create any visible emissions
b.	The permittee has agreed to limit the volume of material accepted.	A maximum of 1,000,000 tons per year of C & D material containing RACM may be accepted.



(2) Additional Terms and Conditions

- a. The landfill, approved to accept asbestos-containing waste materials shall maintain the following work practice standards.
- b. There shall be no visible emissions from asbestos-containing waste materials during on-site transportation, transfer, unloading, deposition, compacting operations, or from any inactive asbestos waste disposal sites.
- c. Deposition and burial operations shall be conducted in a careful manner that prevents asbestos-containing waste materials from being broken up or dispersed before the materials are buried.
- d. The permittee shall inspect each load of asbestos-containing material delivered to the facility. The inspection shall consist of a visual examination to ensure that each shipment of asbestos-containing waste materials is received in intact, leak-tight containers labeled with appropriate hazard warning labels, the name of the waste generator, and the location of waste generation. The inspection also shall determine whether the waste shipment records accompany the consignment and accurately describe the waste material and quantity.
  - i. If on the basis of the inspection, the waste material is found to be improperly received, the load shall be disposed of in accordance with the procedures in the "Asbestos Spill Contingency Plan," and the discrepancy shall be noted on the waste shipment record.

[40 CFR 61.154(a) and (e)] and [OAC rule 3745-20-06]

- e. The permittee shall develop, implement, and maintain an "Asbestos Disposal Operating Procedure and Spill Contingency Plan" consisting of:
  - i. authorized personnel training;
  - ii. inspection and disposal operating procedures;
  - iii. non-conforming load response procedures;
  - iv. inventory and maintenance procedures for safety and emissions control equipment;
  - v. record keeping procedures; and
  - vi. emergency notification procedures.

Authorized personnel shall be knowledgeable in the procedures, and the Plan shall be available for inspection at this facility at all times. Emissions control equipment shall be available for wetting and containing asbestos in



the event of a release or non-conforming load disposal. All equipment required to implement the "Asbestos Disposal Operating Procedure and Spill Contingency Plan" shall be maintained in accordance with good engineering practices to ensure that the equipment is in a ready-to-use condition and in an appropriate location for use.

[OAC rule 3745-20-06, in part] and/or [OAC rule 3745-31-05(A)(3)]

- f. The facility can accept for disposal any regulated asbestos-containing material as defined in the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asbestos, 40 CFR Part 61, Subpart M, Section 141 and OAC rule 3745-20, or any subsequent revisions to either rule. Regulated asbestos-containing material is defined to include:
- i. friable asbestos material;
  - ii. Category I nonfriable asbestos-containing material that has become friable;
  - iii. Category I nonfriable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or
  - iv. Category II nonfriable asbestos-containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.
- g. The permittee shall ensure that any Category I and/or Category II nonfriable asbestos-containing waste material received does not become friable during processing at the landfill. If any asbestos material arrives at the landfill and meets the description of a regulated asbestos-containing material as described in (a) through (d) above, the landfill shall:
- i. cause or permit no visible emissions to the outside air from the asbestos-containing waste materials during on-site transportation, transfer, deposition, or compacting operations;
  - ii. assure that deposition and burial operations are conducted in a manner which prevents handling by equipment or persons that causes asbestos-containing waste materials to be broken up or dispersed before the materials are buried;
  - iii. cover the asbestos-containing waste material with at least twelve inches of nonasbestos-containing material, as soon as practicable after deposition, but no later than at the end of the operating day; and



- iv. assure that during the unloading, deposition, burial, and initial compaction of asbestos-containing waste materials, the disposal site is restricted adequately to deter unauthorized entry of the general public and any unauthorized personnel to within one hundred feet of the operations.

[40 CFR 61.154(a) and (c), in part] and [OAC rule 3745-20-06(B)]

c) Operational Restrictions

- (1) During the unloading, deposition, burial, and initial compaction of asbestos-containing waste materials, the owner or operator of the active waste disposal site shall establish a restricted area adequate to deter the unauthorized entry of the general public and any unauthorized personnel from any location within one hundred feet of the operations. The following information shall be displayed on a sign not less than twenty by fourteen inches, so that it is visible at all entrances, from all directions, and at intervals of three hundred feet or less either along the property line of the facility or along the fencing immediately surrounding the restricted area(s). The signs shall use letter sizes and styles of a visibility at least equal to the following specifications:

Legend:

ASBESTOS WASTE DISPOSAL SITE 2.5 cm (1 inch) Sans Serif, Gothic or Block

DO NOT CREATE DUST 1.9 cm (3/4 inch) Sans Serif, Gothic or Block 14 Point Gothic

BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH 14 Point Gothic

Spacing between any two lines must be at least equal to the height of the upper two lines.

[40 CFR 61.154(b)] and [OAC rule 3745-20-06(B)(4) and (5)]

- (2) The permittee shall cover and compact asbestos wastes in accordance with the following requirements:
  - i. As soon as practical after the placement of asbestos, but no later than the end of each working day, the asbestos-containing waste materials deposited at the site during the operating day shall be covered with at least 12 inches of non-asbestos-containing materials. Once the asbestos-containing waste materials are covered, the area shall be compacted.
  - ii. Care shall be taken to ensure that disposed asbestos shall not be re-excavated in subsequent operations. Any accidentally exposed



material shall be immediately recovered in accordance with the provisions of this permit.

- iii. Asbestos-containing waste materials shall be separated from the landfill final grade by no less than 24 inches of compacted non-asbestos-containing materials or by at least 6 inches of compacted non-asbestos-containing materials with a permanent cover of vegetation over the area.

[40 CFR 61.151(a)], [40 CFR 61.154(c) and (g)], [OAC rule 3745-20-06(B)(3)], and [OAC rule 3745-20-07(A)(2) and (3)]

d) Monitoring and/or Record keeping Requirements

- (1) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible emissions of fugitive dust from asbestos-containing waste materials during on-site transportation, transfer, unloading, deposition, or compacting operations. The presence or absence of any visible emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:

- i. the color of the emissions;
- ii. the total duration of any visible emission incident; and
- iii. any corrective actions taken to eliminate the visible emissions.

[40 CFR 61.154(a), in part] and [OAC rule 3745-20-06(A) and (B)(1)]

- (2) The permittee shall maintain a record of the inspection required in the Additional Terms and Conditions for each load of asbestos-containing material delivered to the facility. These records shall be maintained for a period of 2 years.

[40 CFR 61.154(e)(4)], [OAC rule 3745-20-05(E)(5)], and [OAC rule 3745-20-06(C)(1) and (3)]

- (3) The permittee shall maintain a permanent record of the location, depth and area, and quantity in cubic yards of all asbestos-containing waste materials within the disposal site, on a map or a diagram of the disposal area.

[40 CFR 61.154(f) and (g)] and [OAC rule 3745-20-06(C)(2)]

- (4) The permittee shall keep readily accessible documentation of the nature, date of deposition, amount, and location of asbestos-containing and/or nondegradable wastes, excluded from collection as provided in 40 CFR 60.759(a)(3)(i), as well as any nonproductive areas excluded from collection as provided in 40 CFR 60.759(a)(3)(ii).



[40 CFR 60.758(d)(2)]

- (5) The permittee shall require that all asbestos waste shipments received be accompanied by a waste shipment record. The waste shipment records shall include the following information:
- i. the name of the work site or facility where the asbestos-containing waste was generated and the mailing address and telephone number of the facility owner;
  - ii. the name, mailing address and telephone number of the owner or operator (waste generator) responsible for handling, packing, marking, and labeling the asbestos-containing waste material;
  - iii. active waste disposal site designated by the generator to receive the asbestos-containing waste material for disposal;
  - iv. the name and address of the local, state or U.S. EPA regional agency responsible for administering the National Emission Standards for Hazardous Air Pollutants (NESHAP) program for asbestos;
  - v. a description of the asbestos-containing waste materials included in the waste shipment;
  - vi. the number and type of containers included in the waste shipment;
  - vii. the approximate volume of asbestos-containing waste material included in the waste shipment, in cubic yards;
  - viii. special handling instructions or additional information relative to the waste shipment the waste generator may specify;
  - ix. a certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and government regulations;
  - x. the name, address and phone number of the transporter;
  - xi. a signature by the transporter, to acknowledge receipt of the asbestos-containing waste shipment, described by the waste generator for the conditions recorded on the waste shipment record;
  - xii. a discrepancy indication space to be completed by the transporter or waste shipment owner or operator if any improperly contained asbestos waste is observed or if there is any discrepancy in the quantity of asbestos shipped and the quantity of asbestos waste received at the asbestos waste disposal site;



- xiii. the name and telephone number of the disposal site operator;
- xiv. a signature by the waste disposal site operator to acknowledge receipt of the asbestos-containing waste shipment described by the waste generator in the conditions above, except as noted in the discrepancy indication space; and
- xv. the date of receipt of the asbestos-containing waste.

Significant amounts of improperly contained waste shall be reported in writing to the appropriate Ohio EPA District Office or local air agency by the following working day. The report shall include a copy of the waste shipment. The waste shipment record forms shall be retained at the facility for at least two years, and shall be made available for inspection upon request.

- (6) The permittee shall maintain a record of the inspection required in the Additional Terms and Conditions for each load of asbestos-containing material delivered to the facility. These records shall be maintained for a period of two years.

[40 CFR 61.154(e)] and [OAC rule 3745-20-05(E)]

e) Reporting Requirements

- (1) The permittee shall submit quarterly written reports that (a) identify all days during which any visible emissions of fugitive dust were observed from asbestos-containing waste materials during on-site transportation, transfer, unloading, deposition, and/or compacting operations and (b) describe any corrective actions taken to eliminate the visible emissions. These reports shall be submitted to the Director (the appropriate Ohio EPA District Office or local air agency) by January 31, April 30, July 31 and October 31 and shall cover the previous calendar quarters.

[40 CFR 61.154(a), in part] and [OAC rule 3745-20-06(A) and (B)(1), in part]

- (2) The permittee shall submit quarterly reports summarizing the asbestos disposal activities; these reports shall contain the following information:
  - i. the name, address and location of the facility, the calendar period covered by the report, and any changes in the methods of storage or the disposal operations; and
  - ii. a list of all asbestos-containing waste consignments received including: the date received, the name of the waste generator, the name and location of the facility where the load originated, the quantity of asbestos, and any discrepancy or non-conformity discovered.

These quarterly reports shall be submitted no later than January 31, April 30, July 31 and October 31 and shall cover the previous calendar quarters.



[40 CFR 61.154(i), in part] and [OAC rule 3745-20-05, in part]

- (3) As soon as possible and no longer than 30 days after receipt of the asbestos-containing waste material, the permittee shall send a copy of the signed waste shipment record to the waste generator.

[40 CFR 61.154(e)(2)] and [OAC rule 3745-20-06(E)(2)(b)(ii)]

- (4) Upon discovery of a discrepancy between the quantity of asbestos-containing waste material designated on a waste shipment record and the quantity actually received, the permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the State, local, district, or U.S. EPA regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and the Director (the appropriate Ohio EPA District Office or local air agency) if the waste was received from out of State. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.

[40 CFR 61.154(e)(3)] and [OAC rule 3745-20-05(E)(2)(b)(iii)]

- (5) The permittee shall submit, upon closure of the facility, a copy of the records of the asbestos waste disposal locations and quantities.

[40 CFR 61.154(h)] and [OAC rule 3745-20-06(E)]

- (6) The permittee shall notify the Director, in writing, at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. The following information shall be included in the notice:

- i. scheduled starting and completion dates;
- ii. reason for disturbing the waste;
- iii. procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material (if deemed necessary, the Director may require changes in the proposed emission control procedures); and
- iv. location of any temporary storage site and the final disposal site.

[40 CFR 61.154(j)], [OAC rule 3745-20-06(F)], and [OAC rule 3745-20-07(D)]



- (7) The permittee shall notify the Director of any load of asbestos-containing material which is rejected, or any non-conforming load disposed of in accordance with the "Asbestos Spill Contingency Plan." Notification shall be provided as soon as possible by a phone contact, followed in writing by the next working day. The written notification shall provide a copy of the waste shipment record, if available, or when waste is not shipped with a waste shipment record, provide available information concerning vehicle identification, source of the load, a description of the load, nature of discrepancy, and the location of disposal. If possible, non-conforming loads of suspect friable material shall be detained, or the location of disposal protected from damage, until the appropriate Ohio EPA District Office or local air agency is informed and provided the opportunity to inspect.

[40 CFR 61.154(e), in part] and [OAC rule 3745-20-05(E)(2)(iii), in part]

f. Testing Requirements

Emission Limitation:

There shall be no visible emissions from asbestos-containing waste materials during on-site transportation, transfer, unloading, deposition or compacting operations.

Applicable Compliance Method:

If required, 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, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

[40 CFR 61.154], [OAC rule 3745-20-06], and [OAC rule 3745-17-08]

g. Miscellaneous Requirements

- (1) None.