



State of Ohio Environmental Protection Agency

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

1/26/2010

Certified Mail

Mr. Chris Jaquet
Cherokee Run Landfill
2946 US Route 68 North
Bellefontaine, OH 43311

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

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL
Facility ID: 0546010137
Permit Number: P0105394
Permit Type: Initial Installation
County: Logan

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it 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.

The issuance of this PTI 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

The Ohio EPA is encouraging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. If you have any questions regarding this permit, please contact the Ohio EPA DAPC, Southwest District Office. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page <http://www.epa.ohio.gov>.

Sincerely,

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

Cc: U.S. EPA Region 5 *Via E-Mail Notification*
Ohio EPA DAPC, Southwest District Office

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
for
Cherokee Run Landfill**

Facility ID: 0546010137
Permit Number: P0105394
Permit Type: Initial Installation
Issued: 1/26/2010
Effective: 1/26/2010



Air Pollution Permit-to-Install
for
Cherokee Run Landfill

Table of Contents

Authorization 1

A. Standard Terms and Conditions 3

 1. Federally Enforceable Standard Terms and Conditions 4

 2. Severability Clause 4

 3. General Requirements 4

 4. Monitoring and Related Record Keeping and Reporting Requirements 5

 5. Scheduled Maintenance/Malfunction Reporting 6

 6. Compliance Requirements 6

 7. Best Available Technology 7

 8. Air Pollution Nuisance 7

 9. Reporting Requirements 7

 10. Applicability 8

 11. Construction of New Sources(s) and Authorization to Install 8

 12. Permit-To-Operate Application 9

 13. Construction Compliance Certification 9

 14. Public Disclosure 9

 15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission
 Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 9

 16. Fees 9

 17. Permit Transfers 10

 18. Risk Management Plans 10

 19. Title IV Provisions 10

B. Facility-Wide Terms and Conditions 11

C. Emissions Unit Terms and Conditions 13

 1. F006, Soil Inoculation Process 14



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install
Permit Number: P0105394
Facility ID: 0546010137
Effective Date: 1/26/2010

Authorization

Facility ID: 0546010137
Facility Description: Municipal solid waste landfill
Application Number(s): A0038252
Permit Number: P0105394
Permit Description: The installation of a soil remediation operation that will process non-hazardous petroleum contaminated soil (PCS) into "re-use" soil. The VOC emissions will be minimized by the use of tarps and natural Microbial digestion. The particulate emissions will be minimized by the use of tarps.
Permit Type: Initial Installation
Permit Fee: \$200.00
Issue Date: 1/26/2010
Effective Date: 1/26/2010

This document constitutes issuance to:

Cherokee Run Landfill
2946 US Route 68 North
Bellefontaine, OH 43311-0000

Of a Permit-to-Install 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, Southwest District Office
401 East Fifth Street
Dayton, OH 45402
(937)285-6357

The above named entity is hereby granted a Permit-to-Install for the 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 emissions unit(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director



State of Ohio Environmental Protection Agency
 Division of Air Pollution Control

Final Permit-to-Install
Permit Number: P0105394
Facility ID: 0546010137
Effective Date: 1/26/2010

Authorization (continued)

Permit Number: P0105394
 Permit Description: The installation of a soil remediation operation that will process non-hazardous petroleum contaminated soil (PCS) into "re-use" soil. The VOC emissions will be minimized by the use of tarps and natural Microbial digestion. The particulate emissions will be minimized by the use of tarps.

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Emissions Unit ID:	F006
Company Equipment ID:	Soil Inoculation Process
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
Permit Number: P0105394
Facility ID: 0546010137
Effective Date: 1/26/2010

A. Standard Terms and Conditions



1. Federally Enforceable Standard Terms and Conditions

- a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:
 - (1) Standard Term and Condition A. 2.a), Severability Clause
 - (2) Standard Term and Condition A. 3.c) through A. 3.e) General Requirements
 - (3) Standard Term and Condition A. 6.c) and A. 6.d), Compliance Requirements
 - (4) Standard Term and Condition A. 9., Reporting Requirements
 - (5) Standard Term and Condition A. 10., Applicability
 - (6) Standard Term and Condition A. 11.b) through A. 11.e), Construction of New Source(s) and Authorization to Install
 - (7) Standard Term and Condition A. 14., Public Disclosure
 - (8) Standard Term and Condition A. 15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
 - (9) Standard Term and Condition A. 16., Fees
 - (10) Standard Term and Condition A. 17., Permit Transfers

2. Severability Clause

- a) A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
- b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they are required under the Act, or any its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

3. General Requirements

- a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification.



- b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.
- c) This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.
- d) This permit does not convey any property rights of any sort, or any exclusive privilege.
- e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

4. Monitoring and Related Record Keeping and Reporting Requirements

- a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
 - (1) The date, place (as defined in the permit), and time of sampling or measurements.
 - (2) The date(s) analyses were performed.
 - (3) The company or entity that performed the analyses.
 - (4) The analytical techniques or methods used.
 - (5) The results of such analyses.
 - (6) The operating conditions existing at the time of sampling or measurement.
- b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.
- c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
 - (1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Ohio EPA DAPC, Southwest District Office.



(2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Ohio EPA DAPC, Southwest District Office. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See A.15. below if no deviations occurred during the quarter.

(3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the Ohio EPA DAPC, Southwest District Office every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.

(4) This permit is for an emissions unit located at a Title V facility. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.

d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

5. **Scheduled Maintenance/Malfunction Reporting**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Ohio EPA DAPC, Southwest District Office in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to OAC rule 3745-15-06.

Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emission unit(s) that is (are) served by such control system(s).

6. **Compliance Requirements**

a) The emissions unit(s) identified in this Permit shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

b) Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

c) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:



- (1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.
 - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.
 - (3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
 - (4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.
- d) The permittee shall submit progress reports to the Ohio EPA DAPC, Southwest District Office concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
- (1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - (2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

7. Best Available Technology

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

8. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

9. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Ohio EPA DAPC, Southwest District Office.
- b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from state-only required emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the Ohio EPA DAPC, Southwest District Office. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted



(i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

10. Applicability

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

11. Construction of New Sources(s) and Authorization to Install

- a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.
- b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.
- c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., 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) by submitting a certification from the authorized official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed through completion of the annual PER covering the last period of operation of the affected emissions unit(s).
- d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., 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). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the PER covering the last period the emissions unit operated.



No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

- e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a PER, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

12. Permit-To-Operate Application

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

13. Construction Compliance Certification

The applicant shall identify the following dates in the online facility profile for each new emissions unit identified in this permit.

- a) Completion of initial installation date shall be entered upon completion of construction and prior to start-up.
- b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

14. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly (i.e., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

16. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable permit-to-install fees within 30 days after the issuance of any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.



17. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The Ohio EPA DAPC, Southwest District Office must be notified in writing of any transfer of this permit.

18. Risk Management Plans

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

19. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install
Permit Number: P0105394
Facility ID: 0546010137
Effective Date: 1/26/2010

B. Facility-Wide Terms and Conditions



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install
Permit Number: P0105394
Facility ID: 0546010137
Effective Date: 1/26/2010

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.



State of Ohio Environmental Protection Agency
Division of Air Pollution Control

Final Permit-to-Install
Permit Number: P0105394
Facility ID: 0546010137
Effective Date: 1/26/2010

C. Emissions Unit Terms and Conditions



1. F006, Soil Inoculation Process

Operations, Property and/or Equipment Description:

Soil Remediation operation to process non-hazardous petroleum contaminated soil (PCS) into "re-use" soil

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) b)(1)d., d)(6), thru d)(8) and e)(1)b.

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(F) (Voluntary Limited based on Application requested limits)	The volatile organic compound (VOC) emissions from this operation shall not exceed 8.4 tons per year. See Sections c)(1), thru c)(6), d)(1), thru d)(5), e)(1) thru e)(3), and f)(1)a., below.
b.	OAC rule 3745-17-11(B)(2)	The particulate emissions from this operation shall not exceed 8.32 pounds per hour See section f)(1)b., below.
c.	OAC rule 3745-17-07(B)(1)	Visible particulate emissions from this fugitive dust emissions unit shall not exceed twenty per cent opacity as a three-minute average. See Section f)(1)c., below.
d.	OAC rule 3745-114-01 (state only)	Ohio Toxics Rule See Sections d)(1), d)(2), d)(3), d)(4) and e)(1), below.
e.	OAC rule 3745-31-05(A)(3)(a)(ii)	See Sections b)(2)a. and f)(2), below

(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) and volatile organic compound (VOC) emissions from this emissions unit since the potential emissions are less than ten tons per year.



c) Operational Restrictions

- (1) The total throughput of petroleum contaminated soil (PCS) shall not exceed 15,000 tons per year.
- (2) The Total Petroleum Hydrocarbon (TPH) concentration processed in this emissions unit shall not exceed 50,000 parts per million (ppm), and the volatile organic compound (VOC) concentration shall not exceed 10,000 ppm.
- (3) This facility shall employ tarps in such a manner that will completely cover the processing material and minimize the amount of time that the petroleum contaminated soils (PCS's) are exposed to the ambient air.
- (4) This facility shall inoculate each batch PCS materials with the appropriate amount of natural microbial materials in order to efficiently reduce the TPH of the PCS materials to the "re-use" level within the maximum 90 day processing period.
- (5) This facility shall appropriately process PCS loaded trucks in a timely manner in order to minimize and/or eliminate all generated fugitive VOC emission prior to being unloaded into the soil processing area.
- (6) All trucks carrying PCS materials shall safely be equipped and employ a cover in order to minimize and/or eliminate the release of fugitive particles emissions (PE) and/or VOC emissions.

d) Monitoring and/or Recordkeeping Requirements

- (1) This facility shall maintain annual records on the amount of petroleum contaminated soil (PCS) processed, in tons.
- (2) This facility shall maintain the following records on each batch of PCS material processed:
 - a. The date PCS batch material was received at the facility;
 - b. The date PCS batch material was unloaded into the processing area;
 - c. The date that the PCS batch materials were inoculated;
 - d. The pre-treatment Total Petroleum Hydrocarbon (TPH) level, in parts per million (ppm)¹;
 - e. The amount of PCS material being processed, in tons;
 - f. The amount of inoculated natural microbial materials, in pounds, gallons, or tons, whichever is the most appropriate for this type of operation;
 - g. The date of that the PCS batch material is tested and determined to meet "re-use" action levels;
 - h. The total number of days that the soil was treated; and
 - i. The final post-treatment TPH level, in parts per million.



- (3) The permittee shall perform daily checks, when the emissions unit is processing PCS materials. The daily checks shall note the following in the operations log:
- The date of the check;
 - The general condition of the tarp and/or tarps being employed;
 - Any tears, rips, and/or separation on/or between the tarp and/or tarps being employed, in which the PCS materials are exposed to the ambient air; and
 - Any corrective actions taken to eliminate the exposure of PCS materials to the ambient air; and
 - The date that the corrective action was taken.

These daily checks must occur on consecutive days for the first 14 days of each PCS batch. If no tarp tears, rips, and/or separation is noted, the facility can reduce the inspection frequency to once per week during normal facility operation, i.e., exclude weekends and holidays. If any tarp tears, rips, and/or separation is noted, the facility will repair the tarp(s), and inspection frequency reverts to daily.

- (4) The permittee shall maintain records on the following information regarding any processing of petroleum contaminated soils (PCS) that takes more than 30 days to remediated the soil to "re use" standards:
- The amount of PCS processed, in tons;
 - The amount of inoculated natural microbial materials, in pounds, gallons, or tons, whichever is the most appropriate for this type of operation;
 - The average daily temperature, as recorded at the nearest National Weather Service station, during the processing period; and
 - A summary of the operation including any possible reasons for the extended processing periods and possible steps to be taken in the future that would help assure efficient digestion and minimize evaporation of the petroleum contaminates.
- (5) Prior to removing the soil from the processing operation, the permittee shall sample and analyze the soil to assure that the concentrations of "chemicals of concern" are not exceeding the levels as indicated in Table 1 of OAC rule 1301:7-9-16(D)(1). These grab samples shall be collected in accordance with the sampling requirements of OAC rule 1301:7-9-17(F) and these grab samples shall be analyzed in accordance to OAC rule 1301:7-9-17(G) and 1301:7-9-13(H)(1)(c).

Once the concentration of the "chemicals of concern" in the soil processed are determined to no longer exceed the standards listed in Table 1 of OAC rule 1301:7-9-16(D)(1), the soil will be determined to be "re-use" soil and may be used according to OAC rule 1301:7-9-16(B)(9).

- (6) The PTI P0105394 application for this emissions unit, F006, was evaluated based on the actual materials and the design parameters of the emissions unit's(s') exhaust system, as specified by the permittee. The "Toxic Air Contaminant Statute", ORC 3704.03(F),



was applied to this/these emissions unit(s) for each toxic air contaminant listed in OAC rule 3745-114-01, using data from the permit application; and modeling was performed for each toxic air contaminant(s) emitted at over one ton per year using an air dispersion model such as SCREEN3, AERMOD, or ISCST3, or other Ohio EPA approved model. The predicted 1-hour maximum ground-level concentration result(s) from the approved air dispersion model, was compared to the Maximum Acceptable Ground-Level Concentration (MAGLC), calculated as described in the Ohio EPA guidance document entitled "Review of New Sources of Air Toxic Emissions, Option A", as follows:

- a. the exposure limit, expressed as a time-weighted average concentration for a conventional 8-hour workday and a 40-hour workweek, for each toxic compound(s) emitted from the emissions unit(s), (as determined from the raw materials processed and/or coatings or other materials applied) has been documented from one of the following sources and in the following order of preference (TLV was and shall be used, if the chemical is listed):
 - i. threshold limit value (TLV) from the American Conference of Governmental Industrial Hygienists' (ACGIH) "Threshold Limit Values for Chemical Substances and Physical Agents Biological Exposure Indices"; or
 - ii. STEL (short term exposure limit) or the ceiling value from the American Conference of Governmental Industrial Hygienists' (ACGIH) "Threshold Limit Values for Chemical Substances and Physical Agents Biological Exposure Indices"; the STEL or ceiling value is multiplied by 0.737 to convert the 15-minute exposure limit to an equivalent 8-hour TLV.
- b. The TLV is divided by ten to adjust the standard from the working population to the general public (TLV/10).
- c. This standard is/was then adjusted to account for the duration of the exposure or the operating hours of the emissions unit(s), i.e., "24" hours per day and "7" days per week, from that of 8 hours per day and 5 days per week. The resulting calculation was (and shall be) used to determine the Maximum Acceptable Ground-Level Concentration (MAGLC):

$$TLV/10 \times 8/X \times 5/Y = 4 TLV/XY = MAGLC$$

- d. The following summarizes the results of dispersion modeling for the significant toxic contaminants (emitted at 1 or more tons/year) or "worst case" toxic contaminant(s):

Toxic Contaminant: Xylene (total);

TLV (ppm): 100;

Maximum Hourly Emission Rate (lbs/hr): 30.3 (assumed worst case);

Predicted 1-Hour Maximum Ground-Level Concentration (ppm): 0.000000424;
and

MAGLC (ppm): 2.38



The permittee, has demonstrated that emissions of Xylene, from emissions unit(s) F006, is calculated to be less than eighty per cent of the maximum acceptable ground level concentration (MAGLC); any new raw material or processing agent shall not be applied without evaluating each component toxic air contaminant in accordance with the "Toxic Air Contaminant Statute", ORC 3704.03(F).

[ORC 3704.03(F)(3)(c) and F(4)], [OAC rule 3745-114-01], Option A, Engineering Guide #70

- (7) Prior to making any physical changes to or changes in the method of operation of the emissions unit(s), that could impact the parameters or values that were used in the predicted 1-hour maximum ground-level concentration", the permittee shall re-model the change(s) to demonstrate that the MAGLC has not been exceeded. Changes that can affect the parameters/values used in determining the 1-hour maximum ground-level concentration include, but are not limited to, the following:
- a. changes in the composition of the materials used or the use of new materials, that would result in the emission of a new toxic air contaminant with a lower Threshold Limit Value (TLV) than the lowest TLV previously modeled;
 - b. changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any toxic air contaminant listed in OAC rule 3745-114-01, that was modeled from the initial (or last) application; and
 - c. physical changes to the emissions unit(s) or its/their exhaust parameters (e.g., increased/ decreased exhaust flow, changes in stack height, changes in stack diameter, etc.).

If the permittee determines that the "Toxic Air Contaminant Statute" will be satisfied for the above changes, the Ohio EPA will not consider the change(s) to be a "modification" under OAC rule 3745-31-01 solely due to a non-restrictive change to a parameter or process operation, where compliance with the "Toxic Air Contaminant Statute", ORC 3704.03(F), has been documented. If the change(s) meet(s) the definition of a "modification", the permittee shall apply for and obtain a final PTI prior to the change. The Director may consider any significant departure from the operations of the emissions unit, described in the permit application, as a modification that results in greater emissions than the emissions rate modeled to determine the ground level concentration; and he/she may require the permittee to submit a permit application for the increased emissions.

[ORC 3704.03(F)(3)(c) and F(4)], [OAC rule 3745-114-01], Option A, Engineering Guide #70

- (8) The permittee shall collect, record, and retain the following information for each toxic evaluation conducted to determine compliance with the "Toxic Air Contaminant Statute", ORC 3704.03(F):
- a. a description of the parameters/values used in each compliance demonstration and the parameters or values changed for any re-evaluation of the toxic(s) modeled (the composition of materials, new toxic contaminants emitted, change in stack/exhaust parameters, etc.);



- b. the Maximum Acceptable Ground-Level Concentration (MAGLC) for each significant toxic contaminant or worst-case contaminant, calculated in accordance with the "Toxic Air Contaminant Statute", ORC 3704.03(F);
- c. a copy of the computer model run(s), that established the predicted 1-hour maximum ground-level concentration that demonstrated the emissions unit(s) to be in compliance with the "Toxic Air Contaminant Statute", ORC 3704.03(F), initially and for each change that requires re-evaluation of the toxic air contaminant emissions; and
- d. the documentation of the initial evaluation of compliance with the "Toxic Air Contaminant Statute", ORC 3704.03(F), and documentation of any determination that was conducted to re-evaluate compliance due to a change made to the emissions unit(s) or the materials applied.

[ORC 3704.03(F)(3)(c) and F(4)], [OAC rule 3745-114-01], Option A, Engineering Guide #70

e) Reporting Requirements

- (1) The permittee shall submit quarterly deviation (excursion) reports that identify the following:
 - a. All exceedances of Total Petroleum Hydrocarbon (TPH) concentration of 50,000 parts per million (ppm) for PCS batch material; and
 - b. any exceedance of the daily limitation on toxic air emissions or any deviation from a restriction on the process or hours of operation, as established by the Director in order to maintain any toxic air contaminant below its MAGLC, and any changes made, during the calendar quarter, to a parameter or value entered into the dispersion model that demonstrate compliance with the "Toxic Air Contaminant Statute".

The quarterly deviation (excursion) reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

[OAC rule 3745-15-03(B)(1)(a)], [OAC rule 3745-15-03(C)], and [OAC rule 3745-77-07(A)(3)(c)]

- (2) The permittee shall submit quarterly reports that:
 - a. identify all days in which any tears, rips, and/or separation on/or between the tarp and/or tarps being employed, in which the PCS materials are exposed to the ambient air are witnessed;
 - b. Any corrective actions taken to eliminate the exposure of PCS materials to the ambient air;
 - c. The day that corrective action was taken; and
 - d. The total number of days that PCS materials were exposed to the ambient air.

The quarterly deviation (excursion) reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.



[OAC rule 3745-15-03(B)(1)(a)], [OAC rule 3745-15-03(C)], and [OAC rule 3745-77-07(A)(3)(c)]

- (3) The permittee shall submit quarterly reports that:
 - a. Identify all incidents in which the processing period for cleaning PCS exceeded 90 days;
 - b. A summary of the possible causes for the extended processing period; and
 - c. Possible steps that will be taken to assure proper digestion by the microbes and minimize the evaporation of the petroleum contaminate.

The quarterly deviation (excursion) reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

[OAC rule 3745-15-03(B)(1)(a)], [OAC rule 3745-15-03(C)], and [OAC rule 3745-77-07(A)(3)(c)]

f) Testing Requirements

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

- a. Emission Limitation:

VOC emissions shall not exceed 8.4 tons per year.

The above limitation is based on the following equations:

$$AER = Loadin + Inoculation$$

$$Loadin\ AER = \frac{(Pc \times Af \times T \times 1.5 \frac{hours}{block} \times \frac{30\ blocks}{year})}{2000}$$

$$Inoculation\ AER = \frac{(Pc \times Af \times T \times 0.25 \frac{hours}{block} \times \frac{30\ blocks}{year})}{2000}$$

Where:

AER = Annual Emission Rate, in tons;

Loadin= Annual VOC emissions from unloading spreading and tarping block of petroleum contaminated soils (PCS), in tons;

Inoculation= Annual VOC emissions from the inoculation of microbes into the PCS materials, in tons;

Pc = Volatile emissions from the soil being treated, in pounds per feet cubic per spread truckload, (7.36×10^{-7} , from PTI application calculations);



Af= Air flow, in cubic feet per hour, per spread truckload (4.79×10^7 , from PTI application calculations); and

T = Number of 42 yd³ equivalent truckloads per tarped block (9).

Applicable Compliance Method:

Compliance with above limitations is assumed based on the compliance with the above operational restrictions and the record keeping and reporting requirements.

b. Emission Limitation:

Particulate emissions shall not exceed 8.32 pounds per hour.

The above limitation is based on the following equations:

$$A = 0.4239 \times U^{0.7493}$$

$$U = \frac{5.7 \times s^{1.2}}{M^{1.3}}$$

Where:

A= Maximum Allowable Mass Rate of Emissions, in lbs/hr;

U = Uncontrolled Mass Rate of Emissions, in pounds per hour;

s= silt content, in %, (15.1, (worst case) from AP-42, Chapter 11.9, Table 11.9-3); and

M= moisture content, in %, (2.2, (worst case) from AP-42, Chapter 11.9, Table 11.9-3).

Applicable Compliance Method:

Compliance with above limitations is assumed based on moisture content of the soils both from the petroleum contaminants in the soil and the moisture from the digestion of the microbes being employed.

c. Emission Limitation:

Visible particulate emissions from this fugitive dust emissions unit shall not exceed twenty per cent opacity as a three-minute average.

Applicable Compliance Method:

If required, compliance shall be determined through visible emissions observations performed in accordance with 40 CFR Part 60, Appendix A, Method 9.

- (2) The exemption from OAC rule 3745-31-05(A)(3) for the particulate emissions is based on the following equations:



Potential Controlled particulate emission (PE) is less than 10 tons per year.

$$AER = \text{Loadin AER} + \text{Loadout AER}$$

$$\text{Loadin AER} = \frac{\frac{5.7 \times s^{1.2}}{M^{1.3}} \times 3 \text{ hours} \times 30 \text{ blocks}}{2000}$$

$$\text{Loadout AER} = \frac{\frac{5.7 \times s^{1.2}}{M^{1.3}} \times 3 \text{ hours} \times 30 \text{ blocks}}{2000}$$

Where:

AER= Annual Emission Rate, in tons per year, (0.36);

Loadin AER= Unload emissions, in tons per year, (0.18);

Loadout AER= Loadout emissions, in tons per year, (0.18);

s= silt content, in %, (6.9, from AP-42, Chapter 11.9, Table 11.9-3); and

M= moisture content, in %, (7.9, from AP-42, Chapter 11.9, Table 11.9-3).

Assumed moisture contents are the mean values from Chapter 11.9, Table 11.9-3 and are based on moisture content of the soils both from the petroleum contaminants in the soil and the moisture from the digestion of the microbes being employed.

g) Miscellaneous Requirements

- (1) None.