



Environmental
Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

5/27/2010

Susan Baumann
AMERICAN EAGLE RECYCLING, INC.
4510 East 71st Street
Suite 6
Cleveland, OH 44105

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 1318008084
Permit Number: P0105808
Permit Type: Initial Installation
County: Cuyahoga

Certified Mail

No	TOXIC REVIEW
No	PSD
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED
No	SYNTHETIC MINOR TO AVOID TITLE V
No	FEDERALLY ENFORCABLE PTIO (FEPTIO)

Dear Permit Holder:

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

The issuance of this PTI is a final action of the Director and may be appealed to the Environmental Review Appeals Commission pursuant to Section 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Kevin Boyce," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

If you have any questions, please contact Cleveland Division of Air Quality at (216)664-2297 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. This permit can be accessed electronically on the DAPC Web page, www.epa.ohio.gov/dapc, by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,


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

Cc: CDAQ



FINAL

**Division of Air Pollution Control
Permit-to-Install and Operate
for
AMERICAN EAGLE RECYCLING, INC.**

Facility ID: 1318008084
Permit Number: P0105808
Permit Type: Initial Installation
Issued: 5/27/2010
Effective: 5/27/2010
Expiration: 5/26/2020



Division of Air Pollution Control
Permit-to-Install and Operate
for
AMERICAN EAGLE RECYCLING, INC.

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Authorization

Facility ID: 1318008084
Application Number(s): A0038794
Permit Number: P0105808
Permit Description: Initial installation general permits for unpaved and paved roadways.
Permit Type: Initial Installation
Permit Fee: \$400.00
Issue Date: 5/26/2010
Effective Date: 5/26/2010
Expiration Date: 5/26/2020
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

AMERICAN EAGLE RECYCLING, INC.
5444 Perkins
Bedford, OH 44146

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:

Cleveland Division of Air Quality
2nd Floor
75 Erievue Plaza
Cleveland, OH 44114
(216)664-2297

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: P0105808

Permit Description: Initial installation general permits for unpaved and paved roadways.

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

Emissions Unit ID:

Company Equipment ID:
Superseded Permit Number:

General Permit Category and Type:

F006

Unpaved roadways and parking areas

Unpaved Roadways and Parking Areas - < 300,000 vehicle miles traveled/year (GP5.2)

Emissions Unit ID:

Company Equipment ID:
Superseded Permit Number:

General Permit Category and Type:

F007

Paved roadways and parking areas

Paved Roadways and Parking Areas - < 40,000 vehicle miles traveled/year and a silt content < 120 g/m2 (GP6.3)

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. Unless otherwise specified, facilities subject to one or more synthetic minor restrictions must use Ohio EPA's "Air Services" to submit annual emissions associated with this permit requirement. 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 Cleveland Division of Air Quality 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 submitting¹ 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 emissions unit once the certification has been submitted to Ohio EPA by the authorized official.

¹ Permittees that use Ohio EPA's "Air Services" can mark the affected emissions unit(s) as "permanently shutdown" in the facility profile along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).

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

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

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

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

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

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

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

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

B. Facility-Wide Terms and Conditions

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).
 - a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.
 - (1) None.
 - b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.
 - (1) None.
2. Emissions unit F002 contained in this permit is subject to 40 CFR Part 60, Subpart OOO, Standards of Performance for Nonmetallic Mineral Processing Plants. The complete NSPS requirements, including the NSPS General Provisions may be accessed via the internet from the Electronic Code of Federal Regulations (e-CFR) website <http://ecfr.gpoaccess.gov> or by contacting the Cleveland Division of Air Quality.

The permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart OOO. The permittee shall also comply with all applicable requirements of 40 CFR Part 60, Subpart A (General Provisions) as identified in Table 1 of 40 CFR Part 60, Subpart OOO. Compliance with all applicable requirements shall be achieved by the dates set forth in 40 CFR Part 60, Subpart OOO, and Subpart A.

C. Emissions Unit Terms and Conditions



1. F002, American Eagle Portable Crusher

Operations, Property and/or Equipment Description:

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3) for crusher emissions PTI 13-3408 issued on 7/29/98	3.47 lbs/hour and 15.24 tons/year of PM 0.653 lb/hour and 2.86 tons/year of PM ₁₀ Visible emissions of fugitive dust shall not exceed 10% opacity, as a three-minute average.
b.	OAC rule 3745-17-07(A)	Visible particulate emission from any generator stack shall not exceed 20% opacity, as a six-minute average.
c.	OAC rule 3745-17-07(B)(1)	The requirements of this rule are less stringent than the requirements established pursuant to OAC 3745-31-05(A)(3).
d.	OAC rule 3745-17-08(B)	Reasonably available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust.



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		See b)(2)b. through b)(2)d. below
e.	OAC rule 3745-17-11(B)(5)(a)	0.31 lb mmBtu/ of particulate emissions of actual heat input for the diesel generator.
f.	40 CFR Part 60, Subpart OOO [In accordance with 40 CFR 60.670, this emissions unit is a portable nonmetallic mineral processing plant subject to the emissions limitations/control measures specified in this section.]	See B.2 above The visible emission limitations specified by the rule are equal or less stringent than the visible emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
g.	40 CFR 60.4, 60.7, 60.8, 60.11, and 60.18	Table 1 to Subpart OOO of 40 CFR Part 60 – Exceptions to Applicability of Subpart A to Subpart OOO, shows which parts of the General Provisions in 40 CFR 60 there are exceptions for.

(2) Additional Terms and Conditions

- a. The permittee shall apply dust suppressants, as necessary to minimize or eliminate visible emissions at all times, of fugitive dust generated. Water shall be used as the dust suppressant, and the following equipment shall be used for periodic application: spray nozzle. This term and condition shall be waived during wet conditions when there is sufficient moisture to prevent fugitive emissions.
- b. All aggregates transferred to the crusher or placed in storage piles shall contain sufficient moisture so as to minimize visible emissions of fugitive dust. Water/dust suppressants spraying shall be utilized as necessary, at load-in points, all conveyor transfer points, screening points, and at the crusher to minimize or eliminate visible emissions of fugitive dust from these operations.
- c. During the conveying of aggregates to the crusher, or the transfer of the screened crushed aggregates to the storage pile by conveyor, front end loader or truck, the drop height of the conveyor, front end loader or truck tailgate shall be minimized in order to minimize or eliminate the visible emissions of fugitive dust. Water/dust suppressants spraying devices shall be utilized, as necessary, at all load-in, load-out, transfer points, and on the storage piles to minimize or eliminate visible emissions.
- d. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-17-08(B).
- e. Permanently and physically label this crusher 13-18-00-8084.



- f. The permittee shall comply with the applicable limitations as are required pursuant to 40 CFR Part 60, Subpart OOO, per the following sections:

60.672(b)	affected facilities must meet the fugitive emission limits and compliance requirements in Table 3 of this subpart within the specified time frame
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- c) Operational Restrictions

- (1) None.

- d) Monitoring and/or Recordkeeping Requirements

- (1) For each material processing and handling operation that is not adequately enclosed, the permittee shall perform inspections of such material processing and handling operations in accordance with the following minimum frequencies in order to determine if control measures need to be implemented:

<u>Material Handling Operation(s)</u>	<u>Minimum Inspection Frequency</u>
All Operations	Once During Each Day of Operation

Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance. The inspections shall be performed during representative, normal operating conditions.

- (2) The permittee may, upon receipt of written approval from the Cleveland Division of Air Quality (CDAQ), modify the above-mentioned frequencies for performing the inspections if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
 - (3) The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented.

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

- (4) The permittee shall maintain daily records of the following information:
 - a. the hours of operation for this emissions unit.



- (5) For each day during which the permittee burns a fuel other than diesel fuel the permittee shall maintain a record of the type and quantity of fuel burned in this emission unit.

e) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.
- (2) The permittee shall identify the following information in the annual permit evaluation report in accordance with the monitoring requirements for visible emissions in term number d)(1) above:
 - a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
- (3) The permittee shall identify the following in the annual permit evaluation report.
 - a. any exceedances of the annual operating hours; and
 - b. any time fuel other than diesel was burned in this emission unit.
- (4) The permittee shall submit reports and such other notifications to the CDAQ as are required pursuant to 40 CFR Part 60, Subpart OOO, per the following sections:

60.676(a)	equipment replacement in accordance with 60.670(d)
60.676(f)	submittal of written reports for all performance tests
60.676(h)	subpart A requirement under 60.7(a)(1) is waived
60.676(i)	notification of the actual date of initial startup
60.676(j)	obligation to comply with the reporting requirements of this section
60.676(k)	where to send notifications

f) Testing Requirements

- (1) Compliance with the emission limitation(s) in b)(1) of these terms and conditions shall be determined in accordance with the following method(s):
 - a. Emission Limitation:
3.47 lb/hr PM emissions from crushing operations

0.653 lbs/hr PM₁₀ emissions from crushing operations

Applicable Compliance Method:

Compliance with the hourly PM/PM₁₀ emission limitation shall be determined using the controlled emission factors for crushing, screening, and material handling operations in AP-42, Chapter 11.19.2 (Crushed Stone Processing), Fifth Edition, dated 8/04. The emission factors (for PM, 0.0012 and for PM₁₀, 0.00054 for crushing; for PM, 0.0022 and for PM₁₀, 0.00074 for screening; for PM, 0.00014 and for PM₁₀, 0.000049 for conveying) in pounds per ton, shall be multiplied by the maximum process weight rate, in tons per hour, for each operation identified in b)(2)c. and summed.

b. Emission Limitation:

15.24 tons/year PM emissions from crushing operations
2.86 tons/year PM₁₀ emissions from crushing operations

Applicable Compliance Method:

The tons/year limitations were developed by multiplying the pound/hour limit by 8760 hours/year, and dividing by 2000 pounds/ton. Therefore, provided compliance is shown with the hourly limitations, compliance will also be shown with the annual limitation.

c. Emission Limitation:

Visible emissions of fugitive dust shall not exceed 10% opacity, as a three-minute average.

Applicable Compliance Method:

Compliance with the above visible emission limitation shall be determined using Method 9 of 40 CFR, Part 60, Appendix A.

d. Emission Limitation:

Visible particulate emissions from any generator stack shall not exceed 20% opacity as a six-minute average.

Applicable Compliance Method:

Compliance shall be determined by visible emission observations performed in accordance with USEPA Reference Method 9.

e. Emission Limitation:

0.31 lb PE/mm Btu from the diesel generator

Applicable Compliance Method:

Compliance with the hourly PE limitation shall be determined from the emission factor taken from the U.S. EPA reference document AP-42, 5th edition Compilation of Air Pollution Emission Factors Section 3.3, Table 3.3-1 (0.31 lb/mm Btu). If required, compliance shall be determined using Methods 1-5 of 40 CFR Part 60, Appendix A.

- (2) The permittee shall comply with the applicable compliance procedures and performance test methods as required under 40 CFR Part 60, Subpart OOO, including the following sections:

60.675(a)	reference methods and procedures
60.675(c)	Method 9 of Appendix A-4 of this part shall be used and the procedures in 60.11 with the cited additions including test duration specifications
60.675(e)	alternatives to the reference methods and procedures specified in this section
60.675(g)	performance test notification deadlines
60.675(i)	postponing initial tests due to seasonal shut down

- (3) The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
- a. The emission testing shall be conducted within 90 days of issuance of this permit.
 - b. The emission testing shall be conducted to demonstrate compliance with opacity emission limitations for the primary crusher and transfer points listed in b)(1) of these terms and conditions with an emission limitation of 10% opacity for visible emissions of fugitive dust.
 - c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s):

for visible emissions of fugitive dust, Method 9 of 40 CFR Part 60, Appendix A and the procedures in Section 60.11 of 40 CFR Part 60, Subpart A, with the additions found in 40 CFR 60.675(c).

Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.
 - d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the CDAQ.
 - e. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the CDAQ. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the CDAQ's refusal to accept the results of the emission test(s).
 - f. Personnel from the CDAQ shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

- g. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the CDAQ within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the CDAQ.

g) Miscellaneous Requirements

- (1) At the discretion and following the approval of the Director (the appropriate Ohio EPA District Office or local air agency), the permittee may relocate the portable source within the State of Ohio without first obtaining a permit-to-install and operate (PTIO) or a permit-to-install (PTI), providing the appropriate notification and exemption requirements have been met. The Director may issue a "Notice of Site Approval" through either of the following scenarios:

- a. Where future locations of the proposed portable source are unknown, the approval to relocate the portable source shall be acquired in accordance the permanent exemption for portable sources in OAC rule 3745-31-03(A)(1):
 - i. the portable source is operated in compliance with any applicable best available technology (BAT) determination issued in a permit and all applicable state and/or federal rules and laws;
 - ii. the portable source is operating pursuant to a currently effective PTIO or PTI and/or permit to operate (PTO) and continues to comply with the requirements of the permit;
 - iii. the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the permitting authority (the Ohio EPA District Office or local air agency that has issued the effective current permit) prior to the scheduled relocation;
 - iv. the Ohio EPA district office or local air agency having jurisdiction over the new site has determined that the permitted emissions would not cause a nuisance and would be acceptable under OAC rule 3745-15-07; and
 - v. the Director has issued a "Notice of Site Approval", stating that the proposed site is acceptable and the relocation of the portable source, along with any supporting permitted emissions (e.g. roadways or storage piles), would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site.

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

- b. As the alternative for any pre-disclosed location, the Director may issue a "Notice of Site Approval" if the portable source meets the requirements of OAC rule 3745-31-05(H), as follows:
 - i. the portable source is operating pursuant to a currently effective permit-to-install (PTI), permit-to-install and operate (PTIO), or has been

- approved for registration status and continues to comply with the requirements of the permit and any applicable state and/or federal rules;
- ii. the portable source has been issued a PTIO or PTI and the permittee continues to comply with the requirements of the permit, including any applicable best available technology (BAT) determination;
 - iii. the portable source owner has identified and submitted the proposed site to the Ohio EPA;
 - iv. the permitting District Office/local air agency and the District Office/local air agency having jurisdiction over the new site (if different) have determined that the portable source will have an acceptable environmental impact at the proposed site;
 - v. a public notice, meeting the requirements OAC rule 3745-47, is published in the county where the proposed site is located;
 - vi. the owner of the proposed site (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site; and
 - vii. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

The portable source can be relocated upon receipt of the Director's "Notice of Site Approval" for the site. Any site approval issued by the Ohio EPA, pursuant to OAC rule 3745-31-05(H), is subject to expiration and renewal. Pursuant to OAC rule 3745-31-07(C)(3), any site approval for a portable source shall be issued for a period of time determined to be appropriate by the Director and the renewal will be reevaluated and subject to the same requirements above.

- (2) If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01, the permittee shall submit an application and obtain a PTIO or PTI (as applicable) for the new location prior to moving the portable source.

When a portable source is located at a stationary source or at a site with multiple portable sources, the potential emissions of the portable source may be required to be added to that of the facility, in order to determine the potential to emit for Title V and PSD applicability. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745-77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

- (3) The "Notice of Intent to Relocate" shall be submitted to the Ohio EPA District Office or local air agency responsible for issuing the permits for the portable source. Upon receipt of the notice, the permitting office shall notify the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.