



Environmental  
Protection Agency

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

7/19/2010

Rodney Pierce  
Heritage Environmental Services, LLC  
7901 West Morris Street  
Indianapolis, IN 46231

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE  
Facility ID: 1431004353  
Permit Number: P0106060  
Permit Type: Administrative Modification  
County: Hamilton

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](http://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 Hamilton County Dept. of Environmental Services at (513)946-7777 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](http://www.epa.ohio.gov/dapc), by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

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

Cc: HCDOES





**FINAL**

**Division of Air Pollution Control  
Permit-to-Install and Operate  
for  
Heritage Environmental Services, LLC**

Facility ID: 1431004353  
Permit Number: P0106060  
Permit Type: Administrative Modification  
Issued: 7/19/2010  
Effective: 7/19/2010  
Expiration: 12/17/2019





Division of Air Pollution Control
Permit-to-Install and Operate
for
Heritage Environmental Services, LLC

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## Authorization

Facility ID: 1431004353  
Application Number(s): M0000741  
Permit Number: P0106060  
Permit Description: Administrative modification to delete one conveyor, limit incidental wastes that can be processed and allow non-residential waste to be processed.  
Permit Type: Administrative Modification  
Permit Fee: \$625.00  
Issue Date: 7/19/2010  
Effective Date: 7/19/2010  
Expiration Date: 12/17/2019  
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

Heritage Environmental Services, LLC  
201 Shepherd Avenue  
Lockland, OH 45215

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

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

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

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski  
Director

## Authorization (continued)

Permit Number: P0106060  
Permit Description: Administrative modification to delete one conveyor, limit incidental wastes that can be processed and allow non-residential waste to be processed.

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:	Grinding / Material Handling
Superseded Permit Number:	P0105397
General Permit Category and Type:	Not Applicable

## **A. Standard Terms and Conditions**

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

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

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

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

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

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

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

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

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

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

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

- Annual emissions fee. Ohio EPA will assess a separate fee based on the total annual emissions from your facility. You self-report your emissions in accordance with Ohio Administrative Code (OAC) Chapter 3745-78. This fee assessed is based on a fee schedule in ORC section 3745.11 and funds Ohio EPA's permit compliance oversight activities. 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 Hamilton County Dept. of Environmental Services in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

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

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

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

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

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

You should notify Ohio EPA of any emissions unit that is permanently shut down by submitting<sup>1</sup> 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.

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

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<sup>1</sup> 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).

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

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

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

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

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

## **B. Facility-Wide Terms and Conditions**

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).
  - a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.
    - (1) None.
  - b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.
    - (1) None.

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



1. F001, Grinding / Material Handling

Operations, Property and/or Equipment Description:

Grinding/Handling

- 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.

Table with 2 columns: Applicable Rules/Requirements and Applicable Emissions Limitations/Control Measures. Rows include OAC rule 3745-31-05(A)(3), OAC rule 3745-31-05(E), OAC rule 3745-17-07(B), and OAC rule 3745-17-08(A)(2).



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		b)(2)g.
e.	OAC rule 3745-17-08(B) (applicable only if this emission unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	See b)(2)c., b)(2)d., b)(2)e., b)(2)f. and b)(2)g.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to Ohio Administrative Code (OAC) paragraph 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to the Ohio Revised Code (ORC) changes effective August 3, 2006 (Senate Bill 265 changes), such that BAT is no longer required by State regulations for National Ambient Air Quality Standards (NAAQS) pollutant(s) less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limitations/control measures no longer apply.
- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan.

Permit to install and operate P0106060 for this air contaminant source takes into account the following voluntary restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding best available technology (BAT) requirements under OAC rule 3745-31-05(A)(3):

- i. for fugitive particulate emissions (PE) and particulate matter emissions 10 microns and less in diameter (PM10): the annual production restriction and the material handling operations, as listed in b)(2)c., for this emissions unit shall be controlled by a wet spray system at all times the emissions unit is in operation.

The calculated annual emission rate for fugitive PE and PM10 is less than 10 tons/year, taking into account the annual production restriction and wet spray system control.

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

<u>Material handling operation(s)</u>	<u>control measure(s)</u>
All grinding activity	Wet spray system
Discharge from the first conveyor following grinding	Wet spray system

- d. The permittee shall employ reasonably available control measures on all load-in and load-out operations associated with material handling for the purpose of ensuring compliance with the above-mentioned applicable requirements and shall minimize the free fall distance of the processed material.
- e. The permittee shall employ reasonably available control measures for the material handling operations listed above, for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to the use of a wet spray system, in order to maintain compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- f. For each material handling operation that is not adequately enclosed, the above-identified control measure(s) in b)(2)c. shall be implemented, if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.
- g. Except at times when sufficient rainfall exists to eliminate visible emissions of fugitive dust, the wet spray system shall be in operation at all times when this emission unit is operating in order to minimize or eliminate visible emissions of fugitive dust.
- h. The permittee shall post a sign prohibiting the acceptance of any asbestos containing material (ACM). The permittee shall also post and maintain a sign at the facility entrance identifying, at the minimum, the name of the permittee, the hours of operation and the authorized wastes.
- i. The permittee shall train all staff at least once each calendar year. The training shall include identification of waste, safety and proper management and handling of all wastes and materials on-site.
- j. Incidental wastes processed in this emission unit shall not exceed a total of five percent (5%) by weight of the overall load.
- k. The hourly emission limitation for fugitive PE and PM10 outlined above is based on the emissions unit's potential to emit (PTE). Therefore, no records are required to demonstrate compliance with this limitation.



c) Operational Restrictions

- (1) The facility shall not accept for processing 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.
(2) Upon identification of any asbestos containing material, the permittee shall immediately transport the asbestos containing material to a landfill permitted to accept asbestos containing material.
(3) The maximum annual tons of material processed shall not exceed 132,000 tons based upon a rolling, 12-month summation of the materials processed.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the cumulative tons of material processed in the following table:

Table with 2 columns: Month(s) and Maximum Allowable Cumulative Materials Processed (tons). Rows range from 1 to 1-12, showing cumulative tonnage increasing from 13,200 to 132,000.

After the first 12 calendar months of operation following the issuance of this permit, compliance with the annual tons of material processed limitation shall be based upon a rolling, 12-month summation of the tons of material processed.

- (4) The permittee shall not accept:
a. Material from any source other than residential and/or former residential sources unless the material has been sampled and tested for asbestos;
b. Any rolled or commercial roofing;
c. Any asphalt siding shingle wastes;
d. Any hazardous or special waste; or

- e. Other construction and demolition waste other than that which may be incidentally associated with post-consumer asphalt roofing shingle waste from residential sources (e.g., tarpaper, wood, metal, nails, etc.).
- d) **Monitoring and/or Recordkeeping Requirements**
- (1) The permittee shall maintain monthly records of the following information:
    - a. The total tons of materials processed; and
    - b. The updated rolling, 12-month summation of the tons of materials processed.
  - (2) Prior to processing any materials, the permittee shall inspect all material being accepted in order to determine whether or not asbestos containing material is present. If asbestos containing material is determined to be present, the permittee shall record the following:
    - a. Date of delivery of the asbestos containing material;
    - b. Physical description of the asbestos containing material;
    - c. The amount of asbestos containing material; and
    - d. The name and location of the landfill used to dispose of the asbestos containing material.

All personnel inspecting loads of incoming material shall be trained in the identification of asbestos containing material.

- (3) The permittee shall develop and implement an asbestos containing material sampling plan and shall sample at a frequency adequate to safeguard against the accidental processing of asbestos containing material. This plan shall be submitted for approval to Hamilton County Department of Environmental Services within 60 days of final issuance of this PTIO. Based on a history of sampling, this program may be modified at the request of Hamilton County Department of Environmental Services or the company and can only be implemented after Hamilton County Department of Environmental Services' approval
- (4) Loads that are suspected of containing ACM should be set aside and sampled in accordance with ASTM standards for asbestos before processing. If any asbestos is identified, then that load shall not be processed and shall be sent to an asbestos-approved landfill.

All samples shall be analyzed using Polarized Light Microscopy (PLM), EPA Test Method 600/R-93-116, OSHA testing method number ID-101, or an equivalent test method approved by Ohio EPA.

The permittee shall receive the analytical test results identifying whether asbestos is present in the post-consumer pre-processed load prior to processing such sampled load.

The permittee shall reject all loads that test positive for asbestos. The permittee may, however, retest such loads to verify the test results prior to rejection. Rejected loads shall be disposed of at a permitted asbestos waste facility.

- (5) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible fugitive particulate emissions from the material handling operations that are not adequately enclosed (all grinding activity, all material handling activity, etc.) serving this emissions unit. The presence or absence of any visible fugitive emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
- a. the location and color of the emissions;
  - b. whether the emissions are representative of normal operations;
  - c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
  - d. the total duration of any visible emission incident; and
  - e. any corrective actions taken to minimize or eliminate the visible emissions.

If visible emissions are present, a visible emission incident has occurred. The observer does not have to document the exact start and end times for the visible emission incident under item (d) above or continue the daily check until the incident has ended. The observer may indicate that the visible emission incident was continuous during the observation period (or, if known, continuous during the operation of the emissions unit). With respect to the documentation of corrective actions, the observer may indicate that no corrective actions were taken if the visible emissions were representative of normal operations, or specify the minor corrective actions that were taken to ensure that the emissions unit continued to operate under normal conditions, or specify the corrective actions that were taken to eliminate abnormal visible emissions.

e) Reporting Requirements

- (1) The permittee shall identify the following information in the annual permit evaluation report in accordance with the monitoring requirements for visible emissions in d)(5) above:
- a. all days during which any visible fugitive particulate emissions were observed from the material handling operations that are not adequately enclosed (all grinding activity, all material handling activity, etc.) serving this emissions unit; and
  - b. any corrective actions taken to minimize or eliminate the visible fugitive particulate emissions.
- (2) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date

identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.

f) Testing Requirements

(1) Compliance with the emission limitations in b)(1) and b)(2) shall be determined in accordance with the following method(s):

a. Emission Limitation:

Fugitive particulate emissions (PE) and particulate matter emissions 10 microns and less in diameter (PM10) shall not exceed 3.5 pounds per hour and 4.6 tons per year (TPY).

Applicable Compliance Method:

The potential hourly fugitive PE limitation was determined by using the following equation from the permittee-supplied information in the application for PTIO P0105397 as submitted on September 4, 2009:

$$PE = (50 \text{ tons per hour max production}) \times (0.35 \text{ lb PE per ton production emissions factor; RACM Table 2.17-1}) \times (1 - 0.80 \text{ control efficiency}) = 3.5 \text{ pounds per hour PE controlled.}$$

Compliance with the annual fugitive PE limitation shall be determined by using the following equation from the permittee-supplied information in the application for PTIO P0105397 as submitted on September 4, 2009:

$$PE = (\text{number of tons of production per year}) \times (0.35 \text{ lb PE per ton production emissions factor; RACM Table 2.17-1}) \times (1 - 0.80 \text{ control efficiency}) / (2000 \text{ lbs/ton}).$$

PM10 emissions are assumed to be equivalent to PE.

b. Emission Limitation:

The calculated annual emission rate for fugitive PE and PM10 is less than 10 tons/year, taking into account the annual production restriction and wet spray system control.

Applicable Compliance Method:

Compliance with the fugitive PE limitation shall be determined by using the following equation from the permittee-supplied information in the application for PTIO P0105397 as submitted on September 4, 2009:

$$PE = (132,000 \text{ tons per year max requested production}) \times (0.35 \text{ lb PE per ton production emissions factor; RACM Table 2.17-1}) \times (1 - 0.80 \text{ control efficiency}) / (2000 \text{ lbs/ton}) = 4.62 \text{ TPY PE controlled.}$$

PM10 emissions are assumed to be equivalent to PE.

c. Emission Limitation:

Visible emissions of fugitive dust shall not exceed 20 percent opacity as a three-minute average.

Applicable Compliance Method:

Compliance shall be determined through visible emission observations performed in accordance with U.S. EPA Method 9 and the procedures specified in OAC rule 3745-17-03(B)(3).

g) Miscellaneous Requirements

(1) 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 exemption requirements have been met and following the approval of the Director (the appropriate Ohio EPA District Office or local air agency). The Director may issue a "Notice of Site Approval" if the following criteria is met, pursuant to the permanent exemption for portable sources in OAC rule 3745-31-03(A)(1):

- a. 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;
- b. 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;
- c. the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the permitting authority (the Ohio EPA District Office or local air agency that has issued the effective current permit) prior to the scheduled relocation;
- d. the Ohio EPA district office or local air agency having jurisdiction over the new site has determined that the permitted emissions would not cause a nuisance and would be acceptable under OAC rule 3745-15-07; and
- e. 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.

(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.

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.

- (3) The terms and conditions of this permit supersede the terms and conditions of Permit to Install and Operate (PTIO) P0105397 issued December 17, 2009.