State of Ohio Environmental Protection Agency

Street Address: Lazarus Gov. Center **TELE:** (614) 644-3020 **FAX:** (614) 644-2329 Mailing Address: Lazarus Gov. Center

RE: **FINAL PERMIT TO INSTALL MODIFICATION** CERTIFIED MAIL
UNION COUNTY
Application No: 01-03601

DATE: 5/13/2003

The Scotts Co
Todd Trowbridge
14111 Scottslawn Rd
Marysville, OH 43026

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 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. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,
Michael W. Ahern
Michael W. Ahern, Supervisor
Field Operations and Permit Section
Division of Air Pollution Control

CC: USEPA **CDO**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install **Issue Date: 5/13/2003**
Terms and Conditions **Effective Date: 5/13/2003**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 01-03601

Application Number: **01-03601**
APS Premise Number: **0180010008**
Permit Fee: **$0**
Name of Facility: **The Scotts Co**
Person to Contact: **Todd Trowbridge**
Address: **14111 Scottslawn Rd**
Marysville, OH 43026

Location of proposed air contaminant source(s) [emissions unit(s)]:
14111 Scottslawn Rd
Marysville, **OHIO**

Description of modification:
Pesticide blending and packaging.

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(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 included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

GENERAL PERMIT CONDITIONS

TERMINATION OF PERMIT TO INSTALL

Substantial construction for installation must take place within 18 months of the effective date of this permit. 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.

NOTICE OF INSPECTION

The Director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above-named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, or to examine records or reports pertaining to the construction, modification or installation of the source(s) of environmental pollutants identified within this permit.

CONSTRUCTION OF NEW SOURCES

The proposed source(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources are inadequate or cannot meet applicable standards.

If the construction of the proposed source(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of Ohio Administrative Code (OAC) Rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install 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 applicable standards.

PERMIT TO INSTALL FEE

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 30 days of the effective date of this permit to install.

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.

APPLICABILITY

This Permit to Install is applicable only to the contaminant sources identified. Separate application must be made to the Director for the installation or modification of any other contaminant sources.

BEST AVAILABLE TECHNOLOGY

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

PERMIT TO OPERATE APPLICATION AND OPERATION AFTER COMPLETION OF CONSTRUCTION

If 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).

If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this Permit To Install is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. Permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the source(s) covered by this permit.

AIR EMISSION SUMMARY

The air contaminant emissions units listed below comprise the Permit to Install for **The Scotts Co** located in **UNION** County. The emissions units listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other state or federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

The Scotts Co Facility ID: **0180010008**
PTI Application: 01-03601
Modification Issued: 5/13/2003

Ohio EPA Source Number	Source Identification Description	BAT Determination	Applicable Federal & OAC Rules	Permit Allowable Mass Emissions and/or Control/Usage Requirements
P015	Polymer Encap-sulation system	Fabric Filter	3745-31-05 3745-17-11 3745-17-07	0.02 lb PM/HR
P015	Fluid Bed Coater	High Moisture and Compliance with 3745-17-11	3745-31-05 3745-17-11 3745-17-07	1.86 lb PM/HR
P016	Raw Material Receiving and Storage	Fabric Filter	3745-31-05 3745-17-11 3745-17-07	0.2 lb PM/HR
P017	Raw Material Bataching	Fabric Filter	3745-31-05 3745-17-11 3745-17-07	0.10 lb PM/HR
P018	Blending and Packaging	Fabric Filter	3745-31-05 3745-17-11 3745-17-07	0.05 lb PM/HR
P019	Pesticide Blending and Packaging	Fabric Filter	3745-31-05 3745-17-11 3745-17-07 (G)	0.05 lb PM/HR
P020	Pesticide Mix	No Change	3745-31-05 3745-21-07 (G)	0.0012 lb VOC/HR

The Scotts Co Facility ID: **0180010008**
PTI Application: 01-03601
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SUMMARY
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons/Year
PM	9.9
VOC	0.010

WASTE DISPOSAL

The owner/operator shall comply with any applicable state and federal requirements governing the storage, treatment, transport and disposal of any waste material generated by the operation of the sources.

MAINTENANCE OF EQUIPMENT

This source and its associated air pollution control system(s) shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers in order to minimize air contaminant emissions.

MALFUNCTION/ABATEMENT

In accordance with OAC RULE 3745-15-06, any malfunction of the source(s) or associated air pollution control system(s) shall be reported immediately to the Central District Office, 3232 Alum Creek Drive, Columbus, Ohio 43207-3417.

Except as provided by OAC Rule 3745-15-06(A)(3), scheduled maintenance of air pollution control equipment that requires the shutdown or bypassing of air pollution control system(s) must be accompanied by the shutdown of the associated air pollution sources.

AIR POLLUTION NUISANCES PROHIBITED

The air contaminant source(s) identified in this permit may not cause a public nuisance in violation of OAC Rule 3745-15-07.

NINETY DAY OPERATING PERIOD

The facility will be permitted to operate during a 90-day period in accordance with OAC Rule 3745-35-02(C)(4)(b). The purpose of this period of operation is to fulfill the performance tests conditions used in

the determination of compliance with the provisions of this Permit to Install or other applicable Ohio EPA rules.