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
ASHTABULA COUNTY
Application No: 02-05971

DATE: 9/14/2006

ASHTA Chemicals, Inc.
John Reese
P. O. Box 858
Ashtabula, OH 44005-0858

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 of the Director is final 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 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

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

cc: USEPA NEDO

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install **Issue Date: 9/14/2006**
Terms and Conditions **Effective Date: 9/14/2006**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 02-05971

Application Number:	**02-05971**
APS Premise Number:	**0204010056**
Permit Fee:	**$0**
Name of Facility:	**ASHTA Chemicals, Inc. Reese**
Person to Contact:	**John**
Address:	**P. O. Box 858** **Ashtabula, OH 44005-0858**

Location of proposed air contaminant source(s) [emissions unit(s)]:
3509 Middle Rd.
Ashtabula, **OHIO**

Description of modification:
Reporting requirements for an inapplicable federal NESHAP rule will be deleted for the 9.7 mmBtu.hr natural gas and hydrogen boiler (B001).

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

Joseph P. Koncelik

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 emissions unit(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 cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(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 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 the requirements of this permit or 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.

SOURCE OPERATION AND OPERATING PERMIT REQUIREMENTS 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.

ASHTA Chemicals, Inc. Facility ID: **0204010056**
PTI Application: 02-05971
Modification Issued: 9/14/2006

AIR EMISSION SUMMARY

The air contaminant emissions units listed below comprise the Permit to Install for **ASHTA Chemicals, Inc.** located in **ASHTABULA** 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.

Ohio EPA Source Number	Source Identification Description
B001	9.7 mmBtu/hr natural gas and hydrogen boiler - administrative modification of PTI 02-5971 issued on October 30, 1991.
T002	6,100 gallon storage tank for chloropicrin
P004	Chloropicrin process

	vapor capture system		3745-17-07(A)
BAT Determination	Use of a condensor and a carbon absorber unit	Applicable Federal & OAC Rules	
		3745-31-05(A)(3)	3745-17-10 (B)(1)
Use of natural gas or waste hydrogen gas as the fuel			3745-21-08(B)
			3745-23-06(B)
			40 CFR 61.50-61.56
			3745-31-05(A)(3) 3745-21-07 (D)(2)
	Use of a submerged fill pipe installed within six (6) inches from the bottom of the tank and use of a		3745-31-05(A)(3) 3745-21-07(B)

	exceed 0.81 lb/hr and 3.55 tons/year.	See additional special term 1.b.
Permit Allowable Mass Emissions and/or Control/ Usage Requirements	The nitrogen oxide(s) (NO_X) emissions shall not exceed 0.97 lb/hr and 7.65 tons/yr. The mercury emissions shall not exceed 0.039 lb/hr and 0.17 ton/year.	The mercury emissions shall not exceed 2.3 kg (5.1 lb) per 24-hour period from the mercury cell chlor-alkali plant. See additional special term 1.c.
The sulfur dioxide (SO_2) emissions shall not exceed 0.006 lb/hr and 0.025 ton/year. The particulate emissions (PE) rate shall not exceed 1 ton/year. The carbon monoxide (CO) emissions shall not	The requirements of this rule also include compliance with the requirements of OAC rules 3745-17-07(A) and 3745-17-10(B)(1) and with the requirements of 40 CFR 61.50-61.56 See additional special term 1.d. The visible PE rate shall not exceed 20% opacity as a 6-minute average, except as specified by rule. The PE rate shall not exceed 0.020 lb/mmBtu. See additional special term 1.a.	The chloropicrin emissions shall be limited to less than 0.1 ton/year. The chloropicrin emissions shall not exceed 0.14 lb/hr and 0.60 ton/year.

ASHTA Chemicals, Inc. Facility ID: **0204010056**
PTI Application: 02-05971
Modification Issued: 9/14/2006

SUMMARY
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons/Year	Tons/Year Increase
SO_2	0.025	0.005
TSP	<1	0
NO_X	7.65	0
CO	3.55	2.55
Mercury	0.17	0
Chloropicrin	<0.70	0

NESHAP REQUIREMENTS
The following source(s) are subject to the applicable provisions of the National Emission Standards for Hazardous Air Pollutants (NESHAP) as promulgated by the United States Environmental Protection Agency under 40 CFR Part 61.

Source No.	Source Description	NESHAP Regulation
B001	9.7 mmBtu/hr natural gas and hydrogen boiler	40 CFR 61.50 - 61.56

The application and enforcement of these standards are delegated to Ohio EPA. The requirements of 40 CFR Part 61 are also federally enforceable.

Pursuant to the NESHAP, the source owner/operator is required to report the following milestones:
1. Date of commencement of construction (no later than 30 days after such date);
2. Anticipated date of initial start-up (not more than 60 days or less than 30 days prior to such date);
3. Actual date of initial start-up (within 15 days after such date); and
4. Date of performance testing (at least 30 days prior to testing).

Reports are to be sent to:

ADDITIONAL SPECIAL TERMS AND CONDITIONS

1. Additional Applicable Emissions Limitations/Control Measures for B001

a. The permittee has satisfied the "best available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B) by committing to comply with the best available technology (BAT) requirements established in PTI No. 02-5971. The design of the emissions unit and the technology associated with the current operating practices satisfy the BAT requirements.

On November 5, 2002, OAC rule 3745-21-08 was revised to delete paragraph (B); therefore, paragraph (B) is no longer part of the State regulations. This rule revision was submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Until the U.S. EPA approves the revision to OAC rule 3745-21-08, the requirement to satisfy the "best available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

b. The permittee has satisfied the "latest available control techniques and operating practices" required pursuant to OAC rule 3745-23-06 by committing to comply with the best available technology (BAT) requirements established in PTI No. 02-5971. The design of the emissions unit and the technology associated with the current operating practices satisfy the BAT requirements.

On February 15, 2005, OAC rule 3745-23-06 was rescinded; therefore, this rule is no longer part of the State regulations. This rule revision was submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Until the U.S. EPA approves the revision to OAC rule 3745-23-06, the requirement to satisfy the "latest available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

c. Per 40 CFR 63.8182(c), the requirements of sections 61.52(a), 61.53(b), 61.53(c), 61.55(b), 61.55(c) and 61.55(d) of Subpart E 40 CFR Part 61 will not apply to mercury cell chlor-alkali plants as of December 19, 2006.

d. Per 40 CFR 63.8266 a mercury cell chlor-alkali production facility means an affected source consisting of all cell rooms and ancillary operations used in the manufacture product chlorine, product caustic, and by-product hydrogen at a mercury cell chlor-alkali plant. Since by-product hydrogen is not manufactured at B001, the requirements of 40 CFR 63.8184(a)(1), 40 CFR Part 63 Subpart IIIII, National Emission Standards for Hazardous Air Pollutants for Mercury Emissions from Mercury Cell Chlor-Alkali Plants is not applicable to B001.

2. Record-Keeping Requirements

a. Daily records of hydrogen consumption at the boiler (B001) shall be kept whether or not the hydrogen is burned separately or in combination with natural gas. The records shall contain the following data:

1. Date;
2. Hydrogen usage in cubic feet per day; and
3. Hours of operation for the day.

3. Reporting Requirements

a. Annual reports shall be submitted to the Northeast District Office of the Ohio EPA. The reports shall contain the following data:

1. Usage of hydrogen fuel in cubic feet per year;
2. Hours of operation for the year when hydrogen was used; and

3. Estimated mercury emissions in ton(s)/year and in lbs/hr, as an average.