Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

1/18/2011

Certified Mail

Facility ID: 0250000005
Permit Number: P0085549
County: Mahoning

Janet Kaboth
Whitacre-Greer
1400 South Mahoning Avenue
Alliance, OH 44601

RE: DRAFT AIR POLLUTION TITLE V PERMIT
Permit Type: Renewal

Dear Permit Holder:

A draft of the OAC Chapter 3745-77 Title V permit for the referenced facility has been issued. The purpose of this draft is to solicit public comments. A public notice will appear in the Ohio EPA Weekly Review and the local newspaper, Youngstown-Vindicator. A copy of the public notice, the Statement of Basis, and the draft permit are enclosed. This permit can be accessed electronically on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Issued Air Pollution Control Permits" link. Comments will be accepted as a marked-up copy of the draft permit or in narrative format. Any comments must be sent to the following:

Andrew Hall
Permit Review/Development Section
Ohio EPA, DAPC
122 South Front Street
Columbus, Ohio 43215

and

Ohio EPA DAPC, Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087

Comments and/or a request for a public hearing will be accepted within 30 days of the date the notice is published in the newspaper. You will be notified in writing if a public hearing is scheduled. A decision on processing the Title V permit will be made after consideration of comments received and oral testimony if a public hearing is conducted. You will then be provided with a Preliminary Proposed Title V permit and another opportunity to comment prior to the 45-day Proposed Title V permit submittal to U.S. EPA Region 5. The permit will be issued final after U.S. EPA review is completed and no objections to the final issuance have been received. If you have any questions, please contact Ohio EPA DAPC, Northeast District Office at (330)425-9171.

Sincerely,

Michael W. Ahern

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

Cc: U.S. EPA Region 5 - *Via E-Mail Notification*
Ohio EPA-NEDO; Pennsylvania; West Virginia

Mahoning County

PUBLIC NOTICE
Issuance of Draft Air Pollution Title V Permit
Whitacre-Greer

Issue Date: 1/18/2011
Permit Number: P0085549
Permit Type: Renewal
Permit Description: Renewal of the Title V permit for a brick manufacturing facility.
Facility ID: 0250000005
Facility Location: Whitacre-Greer
1400 South Mahoning Avenue,
Alliance, OH 44601
Facility Description: Brick and Structural Clay Tile Manufacturing, Clay Refractory Manufacturing

Scott J. Nally, Director of the Ohio Environmental Protection Agency, 50 West Town Street, Columbus Ohio, has issued a draft action of an air pollution control Title V operating permit for the facility at the location identified above on the date indicated. Comments concerning this draft action, or a request for a public meeting, must be sent in writing no later than thirty (30) days from the date this notice is published. All comments, questions, requests for permit applications or other pertinent documentation, and correspondence concerning this action must be directed to Jana Gannon at Ohio EPA DAPC, Northeast District Office, 2110 East Aurora Road, Twinsburg, OH 43087 or (330)425-9171. The permit, which includes a detailed description of the operations, and associated statement of basis for the permit requirements, can be downloaded from the Web page: www.epa.ohio.gov/dapc

Statement of Basis For Air Pollution Title V Permit

Facility ID:	0250000005
Facility Name:	Whitacre-Greer
Facility Description:	Brick and paver manufacturing facility
Facility Address:	1400 South Mahoning Avenue, Alliance, OH 44601
Permit #:	P0085549, Renewal

This facility is subject to Title V because it is major for:

☐ Lead ☒ Sulfur Dioxide ☐ Carbon Monoxide ☐ Volatile Organic Compounds ☐ Nitrogen Oxides
☒ Particulate Matter ≤ 10 microns ☐ Single Hazardous Air Pollutant ☐ Combined Hazardous Air Pollutants
☒ Maximum Available Control Technology Standard(s)

A. Standard Terms and Conditions

Has each insignificant emissions unit been reviewed to confirm it meets the definition in OAC rule 3745-77-01 (U)?	Yes
Were there any "common control" issues associated with this facility? If yes, provide a summary of those issues and explain how the DAPC decided to resolve them.	No
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a minor permit modification per OAC rule 3745-77-08(C)(1)	N/A
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a significant permit modification per OAC rule 3745-77-08(C)(3)	N/A

Please identify the affected unit(s)and associated PTI, if applicable, along with a brief description of any changes to the permit document that qualify as a reopening per OAC rule 3745-77-08(D)	N/A
Please identify the affected unit(s) and associated PTI, if applicable, along with a brief description of any changes to the permit document resulting from a renewal per OAC rule 3745-77-08(E)	1) MACT Subpart SSSSS was added. 2) The permit was updated to include the most recent language. 3) The authority for terms was added to each term and condition.

B. Facility-Wide Terms and Conditions

Term and Condition (paragraph)	Basis		Comments
	SIP (3745-)	Other	
B.2	N	Y	List of insignificant EUs with applicable requirements.
B.3	N	40 CFR 63	The facility shall comply with 40 CFR, Part 63, Subpart SSSSS by the compliance dates specified in this rule.

C. Emissions Unit Terms and Conditions

Key:
EU = emissions unit ID
ND = negative declaration (i.e., term that indicates that a particular rule(s) is (are) not applicable to a specific emissions unit)
OR = operational restriction
M = monitoring requirements
St = streamlining term used to replace a PTI monitoring, record keeping, or reporting requirement with an equivalent or more stringent requirement
ENF = did noncompliance issues drive the monitoring requirements?
R = record keeping requirements
Rp = reporting requirements
ET = emission testing requirements (not including compliance method terms)
Misc = miscellaneous requirements

EU(s)	Limitation	Basis		ND	OR	M	St	ENF	R	St	Rp	St	ET	Misc	Comments
		SIP (3745-)	Other												
F001, F002	None	17-07(B)		N	N	N	N	N	N	N	N	N	N	N	In accordance with paragraph (B)(11)(e) of OAC rule 3745-17-07, the requirements of OAC rule 3745-17-07(B) shall not apply to this emissions unit.

F001, F002	None	17-08(B)		N	N	N	N	N	N	N	N	N	N	N	In accordance with paragraph (A)(1) of OAC rule 3745-17-08, the requirements of OAC rule 3745-17-08(B) shall not apply to this emissions unit.
F001	PE 6.0 lbs/hr		31-05(A)(3)	N	Y	Y	N	N	Y	N	Y	N	N	N	OR – Water spray shall be used to control emissions. ET – Emissions determined by emission factor.
P004, P005	Visible PE shall not exceed 20% opacity as a 6 minute avg.	17-07(A)		N	Y	Y	N	N	Y	N	Y	N	N	N	OR – Only natural gas shall be burned. ET – Method 9 if required. Daily checks done to verify compliance.
P004, P005	PE 10 lbs/hr	17-11		N	Y	Y	N	N	Y	N	Y	N	Y	N	OR – Only natural gas shall be burned.
P004, P005	SO_2:20 lbs/ton	18-56(B)	40 CFR 52.1881	N	Y	Y	N	N	Y	N	Y	N	Y	N	OR - Compliance with pressure drop range.
P004, P005	Case by case MACT		40 CFR 63.52(a)(2)	N	N	N	N	N	N	N	N	N	N	N	Case-by-case MACT applies due to vacatur of Brick MACT. No current requirements until notified by EPA.
P004, P005	Minimize fuel-based HAP emissions		40 CFR 63, SSSSS	N	Y	Y	N	N	Y	N	Y	N	N	N	OR – Only natural gas shall be burned. ET – Testing not necessary as long as natural gas is burned.
P007	Less stringent than 31-05(A)(3)	17-07(A)		N	N	N	N	N	N	N	N	N	N	N	See 3745-31-05(A)(3).
P007	Less stringent than 31-05(A)(3)	17-11		N	N	N	N	N	N	N	N	N	N	N	See 3745-31-05(A)(3).
P007	PE: 0.03 gr/dscf, 0.47 lb/hr, 2.06 TPY Visible fugitive PE shall not		31-05(A)(3)	N	Y	Y	N	N	Y	N	Y	N	Y	N	OR: The pressure drop across the baghouse shall be maintained within 2 to 6 inches of water to demonstrated proper operation. ET: Method 9 if required. Daily checks done to verify compliance.

	exceed 5% opacity as a 6 minute avg. Vent to baghouse.														

Ohio | Environmental Protection Agency

DRAFT

Division of Air Pollution Control
Title V Permit
for
Whitacre-Greer

Facility ID:	0250000005
Permit Number:	P0085549
Permit Type:	Renewal
Issued:	1/18/2011
Effective:	To be entered upon final issuance
Expiration:	To be entered upon final issuance

Ohio Environmental Protection Agency

Division of Air Pollution Control
Title V Permit
for
Whitacre-Greer

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Authorization

Facility ID: 0250000005
Facility Description:
Application Number(s): A0016220
Permit Number: P0085549
Permit Description: Renewal of the Title V permit for a brick manufacturing facility.
Permit Type: Renewal
Issue Date: 1/18/2011
Effective Date: To be entered upon final issuance
Expiration Date: To be entered upon final issuance
Superseded Permit Number: P0085548

This document constitutes issuance of an OAC Chapter 3745-77 Title V permit to:

Whitacre-Greer
1400 South Mahoning Avenue
Alliance, OH 44601

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

Ohio EPA DAPC, Northeast District Office
2110 East Aurora Road
Twinsburg, OH 44087
(330)425-9171

The above named entity is hereby granted a Title V permit pursuant to Chapter 3745-77 of the Ohio Administrative Code. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. You will be sent a notice approximately 18 months prior to the expiration date regarding the renewal of this permit. If you do not receive a notice, please contact the Ohio EPA DAPC, Northeast District Office. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-08(E) and in accordance with the terms of this permit beyond the expiration date, if a timely renewal application is submitted. A renewal application will be considered timely if it is submitted no earlier than 18 months (540 days) and no later than 6 months (180 days) prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Scott J. Nally
Director

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A. 24., Reporting Requirements Related to Monitoring and Record Keeping Requirements of State-Only Enforceable Permit Terms and Conditions

(2) Standard Term and Condition A. 25., Records Retention Requirements for State-Only Enforceable Permit Terms and Conditions

(3) Standard Term and Condition A. 27., Scheduled Maintenance/Malfunction Reporting

(4) Standard Term and Condition A. 29., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

(Authority for term: ORC 3704.036(A))

2. Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit), the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.

(Authority for term: OAC rule 3745-77-07(A)(3)(b)(i))

b) Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

(Authority for term: OAC rule 3745-77-07(A)(3)(b)(ii))

c) The permittee shall submit required reports in the following manner:

(1) All reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations caused by malfunctions shall be submitted in the following manner:

Any malfunction, as defined in OAC rule 3745-15-06(B)(1), shall be promptly reported to the Ohio EPA in accordance with OAC rule 3745-15-06. In addition, to fulfill the OAC rule 3745-77-07(A)(3)(c) deviation reporting requirements for malfunctions, written reports that identify each malfunction that occurred during each calendar quarter (including each malfunction reported only verbally in accordance with OAC rule 3745-15-06) shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year in accordance with Standard Term and Condition A.2.c)(2) below; and each report shall cover the previous calendar quarter. An exceedance of the visible emission limitations specified in OAC rule 3745-17-07(A)(1) that is caused by a malfunction is not a violation and does not need to be reported as a deviation if the owner or operator of the affected air contaminant source or air pollution control equipment complies with the requirements of OAC rule 3745-17-07(A)(3)(c). In accordance with OAC rule 3745-15-06, a malfunction reportable under OAC rule 3745-15-06(B) is a deviation of the federally enforceable permit requirements. Even though verbal notifications and written reports are required for malfunctions pursuant to OAC rule 3745-15-06, the written reports required pursuant to this term must be submitted quarterly to satisfy the prompt reporting provision of OAC rule 3745-77-07(A)(3)(c).
In identifying each deviation caused by a malfunction, the permittee shall specify the emission limitation(s) (or control requirement(s)) for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. For a specific malfunction, if this information has been provided in a written report that was submitted in accordance with OAC rule 3745-15-06, the permittee may simply reference that written report to identify the deviation. Nevertheless, all malfunctions, including those reported only verbally in accordance with OAC rule 3745-15-06, must be reported in writing on a quarterly basis. Any scheduled maintenance, as referenced in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described above for malfunctions.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(2) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit or, in some cases, in section B. Facility-Wide Terms and Conditions of this Title V permit), all reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations of the emission limitations, operational restrictions, and control device operating parameter limitations shall be submitted in the following manner:

Written reports of (a) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures taken, shall be promptly made to the appropriate Ohio EPA District Office or local air agency. Except as provided below, the written reports shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter. In identifying each deviation, the permittee shall specify the emission limitation(s), operational restriction(s), and/or control device operating parameter limitation(s) for which the deviation occurred, describe each deviation, and provide the estimated magnitude and duration of each deviation. These written deviation reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations. Full compliance with OAC rule 3745-77-07(A)(3)(c) requires

reporting of all other deviations of the federally enforceable requirements specified in the permit as required by such rule. If an emissions unit has a deviation reporting requirement for a specific emission limitation, operational restriction, or control device operating parameter limitation that is not on a quarterly basis (e.g., within 30 days following the end of the calendar month, or within 30 or 45 days after the exceedance occurs), that deviation reporting requirement satisfies the reporting requirements specified in this Standard Term and Condition for that specific emission limitation, operational restriction, or control device parameter limitation. Following the provisions of that non-quarterly deviation reporting requirement will also satisfy (for the deviations so reported) the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations, and additional quarterly deviation reports for that specific emission limitation, operational restriction, or control device parameter limitation are not required pursuant to this Standard Term and Condition. See A.29 below if no deviations occurred during the quarter.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(3) All reporting required in accordance with the OAC rule 3745-77-07(A)(3)(c) for other deviations of the federally enforceable permit requirements which are not reported in accordance with Standard Term and Condition A.2)c)(2) above shall be submitted in the following manner:

Unless otherwise specified by rule, written reports that identify deviations of the following federally enforceable requirements contained in this permit; Standard Terms and Conditions: A.3, A.4, A.5, A.7.e), A.8, A.13, A.15, A.19, A.20, A.21, and A.23 of this Title V permit, as well as any deviations from the requirements in section C. Emissions Unit Terms and Conditions of this Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency by January 31 and July 31 of each year; and each report shall cover the previous six calendar months. Unless otherwise specified by rule, all other deviations from federally enforceable requirements identified in this permit shall be submitted annually as part of the annual compliance certification, including deviations of federally enforceable requirements not specifically addressed by permit or rule for the insignificant activities or emissions levels (IEU) identified in section B. Facility-Wide Terms and Conditions of this Title V permit. Annual reporting of deviations is deemed adequate to meet the deviation reporting requirements for IEUs unless otherwise specified by permit or rule. In identifying each deviation, the permittee shall specify the federally enforceable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. These semi-annual and annual written reports shall satisfy the reporting requirements of OAC rule 3745-77-07(A)(3)(c) for any deviations from the federally enforceable requirements contained in this permit that are not reported in accordance with Standard Term and Condition A.2.c)(2) above. If no such deviations occurred during a six-month period, the permittee shall submit a semi-annual report which states that no such deviations occurred during that period.
(Authority for term: OAC rules 3745-77-07(A)(3)(c)(i) and (ii) and OAC rule 3745-77-07(A)(13)(b))

(4) Each written report shall be signed by a responsible official certifying that, "based on information and belief formed after reasonable inquiry, the statements and information in the report (including any written malfunction reports required by OAC rule 3745-15-06 that are referenced in the deviation reports) are true, accurate, and complete."

(Authority for term: OAC rule 3745-77-07(A)(3)(c)(iv))

(5) Reports of any required monitoring and/or record keeping information shall be submitted to Ohio EPA DAPC, Northeast District Office.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

3. Scheduled Maintenance

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. Except as provided in OAC rule 3745-15-06(A)(3), any scheduled maintenance necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s). Any scheduled maintenance, as defined in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described for malfunctions in Standard Term and Condition A.2.c)(1) above.
(Authority for term: OAC rule 3745-77-07(A)(3)(c))

4. Risk Management Plans

If applicable, the permittee shall develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq. ("Act"); and, pursuant to 40 C.F.R. 68.215(a), the permittee shall submit either of the following:

a) a compliance plan for meeting the requirements of 40 C.F.R. Part 68 by the date specified in 40 C.F.R. 68.10(a) and OAC 3745-104-05(A); or

b) as part of the compliance certification submitted under 40 C.F.R. 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 C.F.R. Part 68 and OAC Chapter 3745-104, including the registration and submission of the risk management plan.

(Authority for term: OAC rule 3745-77-07(A)(4))

5. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.
(Authority for term: OAC rule 3745-77-07(A)(5))

6. Severability Clause

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
(Authority for term: OAC rule 3745-77-07(A)(6))

7. General Requirements

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

b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.

c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with Standard Term and Condition A.11 below. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

d) This permit does not convey any property rights of any sort, or any exclusive privilege.

e) The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

f) Except as otherwise indicated below, this Title V permit, or permit modification, is effective for five years from the original effective date specified in the permit. In the event that this facility becomes eligible for non-title V permits, this permit shall cease to be enforceable when:

(1) the permittee submits an approved facility-wide potential to emit analysis supporting a claim that the facility no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on the permanent shutdown and removal of one or more emissions units identified in this permit; or

(2) the permittee no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on obtaining restrictions on the facility-wide potential(s) to emit that are federally enforceable or legally and practically enforceable ; or

(3) a combination of (1) and (2) above.

The permittee shall continue to comply with all applicable OAC Chapter 3745-31 requirements for all regulated air contaminent sources once this permit ceases to be enforceable. The permittee shall comply with any residual requirements, such as quarterly deviation reports, semi-annual deviation reports, and annual compliance certifications covering the period during which this Title V permit was enforceable. All records relating to this permit must be maintained in accordance with law.
(Authority for term: OAC rule 3745-77-01(W), OAC rule 3745-77-07(A)(3)(b)(ii), OAC rule 3745-77(A)(7))

8. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78.
(Authority for term: OAC rule 3745-77-07(A)(8))

9. Marketable Permit Programs

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.
(Authority for term: OAC rule 3745-77-07(A)(9))

10. Reasonably Anticipated Operating Scenarios

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these standard terms and conditions shall apply to all operating scenarios authorized in this permit.
(Authority for term: OAC rule 3745-77-07(A)(10))

11. Reopening for Cause

This Title V permit will be reopened prior to its expiration date under the following conditions:

a) Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.

b) This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit, and shall not require a reopening of this permit.

c) The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.

d) The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

(Authority for term: OAC rules 3745-77-07(A)(12) and 3745-77-08(D))

12. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the

potential to emit of a source, are enforceable by the Administrator of the U.S. EPA, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.
(Authority for term: OAC rule 3745-77-07(B))

13. Compliance Requirements

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

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

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with paragraph (E) of OAC rule 3745-77-03.

(3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c) The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

(2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

d) Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the Director (the appropriate Ohio EPA District Office or local air agency) and the Administrator of the U.S. EPA in the following manner and with the following content:

(1) Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted (i.e., postmarked) on or before April 30th of each year during the permit term.

(2) Compliance certifications shall include the following:

a. An identification of each term or condition of this permit that is the basis of the certification.

b. The permittee's current compliance status.

c. Whether compliance was continuous or intermittent.

d. The method(s) used for determining the compliance status of the source currently and over the required reporting period.

e. Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.

(3) Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

(Authority for term: OAC rules 3745-77-07(C)(1),(2),(4) and (5) and ORC section 3704.03(L))

14. Permit Shield

a) Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

b) This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

(Authority for term: OAC rule 3745-77-07(F))

15. Operational Flexibility

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [as defined in OAC rule 3745-77-01(JJ)], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the appropriate Ohio EPA District Office or local air agency with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the Administrator of the U.S. EPA and the appropriate District Office of the Ohio EPA or local air agency as soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).
(Authority for term: OAC rules 3745-77-07(H)(1) and (2))

16. Emergencies

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.
(Authority for term: OAC rule 3745-77-07(G))

17. Off-Permit Changes

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

a) The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition.

b) The permittee provides contemporaneous written notice of the change to the Director and the Administrator of the U.S. EPA, except that no such notice shall be required for changes that qualify as insignificant emissions levels or activities as defined in OAC rule 3745-77-01(U). Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change.

c) The change shall not qualify for the permit shield under OAC rule 3745-77-07(F).

d) The permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e) The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit-to-install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.
(Authority for term: OAC rule 3745-77-07(I))

18. Compliance Method Requirements

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Fed. Reg. 8314, Feb. 24, 1997), in the context of any future proceeding.
(This term is provided for informational purposes only.).

19. Insignificant Activities or Emissions Levels

Each IEU that has one or more applicable requirements shall comply with those applicable requirements.
(Authority for term: OAC rule 3745-77-07(A)(1))

20. Permit to Install Requirement

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.
(Authority for term: OAC rule 3745-77-07(A)(1))

21. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.
(Authority for term: OAC rule 3745-77-07(A)(1))

22. Permanent Shutdown of an Emissions Unit

The permittee may notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification from the responsible official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the responsible official that the emissions unit was permanently shut down. After the date on which an emissions unit is permanently shut down (i.e., that 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 and therefore ceases to meet the definition of an "emissions unit" as defined in OAC rule 3745-77-01(O)), rendering existing permit terms and conditions irrelevant, the permittee shall not be required, after the date of the certification and submission to Ohio EPA, to meet any Title V permit requirements applicable to that emissions unit, except for any residual requirements, such as the quarterly deviation reports, semi-annual deviation reports and annual compliance certification covering the period during which the emissions unit last operated. All records relating to the shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. No emissions unit certified by the responsible official as being permanently shut down may resume operation without first applying for and obtaining a permit to install pursuant to OAC Chapter 3745-31.
(Authority for term: OAC rule 3745-77-01)

23. Title VI Provisions

If applicable, the permittee shall comply with the standards for recycling and reducing emissions of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices specified in 40 CFR 82.156.

b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment specified in 40 CFR 82.158.

c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

(Authority for term: OAC rule 3745-77-01(H)(11))

24. Reporting Requirements Related to Monitoring and Record Keeping Requirements Under State Law Only

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or record keeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

b) Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (i) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and record keeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. In identifying each deviation, the permittee shall specify the applicable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

25. Records Retention Requirements Under State Law Only

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

26. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.
(Authority for term: OAC rule 3745-77-07(C))

27. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

28. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.
(Authority for term: OAC rule 3745-77-01(C))

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

If no emission limitation (or control requirement), operational restriction and/or control device parameter limitation deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.
The permittee is not required to submit a quarterly report which states that no deviations occurred during that quarter for the following situations:

a) where an emissions unit has deviation reporting requirements for a specific emission limitation, operational restriction, or control device parameter limitation that override the deviation reporting requirements specified in Standard Term and Condition A.2.c)(2); or

b) where an uncontrolled emissions unit has no monitoring, record keeping, or reporting requirements and the emissions unit's applicable emission limitations are established at the potentials to emit; or

c) where the company's responsible official has certified that an emissions unit has been permanently shut down.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

   a) None.

2. The following insignificant emissions units are located at this facility:

   B001 - Dryer #1, dried brick;

   B002 - Dryer #2, dried brick;

   B003 - Dryer #3, dried brick;

   F003 - Roadways and parking areas; and

   F004 - Material storage piles.

   Each insignificant emissions unit at this facility must comply with all State and Federal regulations, as well as any emission limitations and/or control requirements contained with the identified permit to install for the emissions unit. Insignificant emissions units listed above that are not subject to specific permit to install requirements are subject to one or more applicable requirements contained in the federally-approved versions of OAC Chapters 3745-17, 3745-18, and/or 3745-21.

   [Authority for term: OAC rule 3745-77-07(A)(1)]

3. The following emissions units contained in this permit are subject to 40 CFR Part 63, Subpart SSSSS: P004 and P005. The complete MACT requirements, including the MACT 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 Ohio EPA Northeast District Office.

C. Emissions Unit Terms and Conditions

1. F001, Jaw Crusher

Operations, Property and/or Equipment Description:

Brick crushing unit with water spray particulate control

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

(1) 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 3745-17-07(B)	See b)(2)a.
b.	OAC rule 3745-17-08(B)	See b)(2)b.
c.	OAC rule 3745-31-05(A)(3) (PTI 02-9733)	See b)(2)c.

(2) Additional Terms and Conditions

a. This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).

b. The permittee is not located within an "Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).

c. Particulate emissions shall not exceed 6.0 pounds per hour.

c) Operational Restrictions

(1) The permittee shall operate a water spray system to control particulate emissions whenever this emissions unit is in operation, except during periods of freezing temperatures. During these periods of freezing temperatures, additional control measures may be necessary to ensure the minimization of fugitive dust, such as enclosures or reduced operation of the equipment.

[Authority for term: PTI 02-9733 and OAC rule 3745-77-07(A)(1)]

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall collect and record the following information each day for this emissions unit:

a. the periods of time when the water spray system was not in service when the emissions unit was in operation and the water was not shut off due to freezing temperatures; and

b. the periods of time when the water spray system was not in service when the emissions unit was in operation because the water was shut off due to freezing temperatures.

[Authority for term: OAC rule 3745-77-07(C)(1)]

e) Reporting Requirements

(1) The permittee shall notify the Director (the Ohio EPA Northeast District Office) in writing of any daily record showing that the water spray system was not in service when the emissions unit was in operation and the water was not shut off due to freezing temperatures. The notification shall include a copy of such record and shall be sent to the Director (the Ohio EPA Northeast District Office) within 30 days after the event occurs.

[Authority for term: OAC rule 3745-77-07(C)(1)]

f) Testing Requirements

(1) Compliance with the emission limitation in b)(1) of these terms and conditions shall be determined in accordance with the following method:

a. Emission Limitation:

Particulate emissions shall not exceed 6.0 pounds per hour.

Applicable Compliance Method:

Compliance shall be based on a calculation using the emission factor from AP-42, Section 11.3, Brick and Structural Clay Product Manufacturing, Table 11.3-1, August 1997, for a primary crusher without a fabric filter (assuming the fabric filter's control efficiency is 99%):

E (particulate emissions) = 0.059 lb PE/ton crushed (emission factor) x 5 tons brick crushed /hour (maximum equipment capacity)

[Authority for term: OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) None.

2. F002, Crushing/Screening

Operations, Property and/or Equipment Description:

Crushing, grinding, and screening of raw materials

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

(1) 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 3745-17-07(B)	See b)(2)a.
b.	OAC rule 3745-17-08(B)	See b)(2)b.

(2) Additional Terms and Conditions

a. This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).

b. The permittee is not located within an "Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).

c) Operational Restrictions

(1) None.

d) Monitoring and/or Recordkeeping Requirements

(1) None.

e) Reporting Requirements

(1) None.

f) Testing Requirements

(1) None.

g) Miscellaneous Requirements

(1) None.

3. P004, Tunnel Kiln #1

Operations, Property and/or Equipment Description:

Tunnel kiln #1 used for firing brick (Swindell Kiln)

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

(1) 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 3745-17-07(A)	See b)(2)a.
b.	OAC rule 3745-18-56(B) and 40 CFR 52.1881(a)(4)	See b)(2)b.
c.	OAC rule 3745-17-11	See b)(2)c.
d.	40 CFR 63.52(a)(2)	See b)(2)d.
e.	40 CFR Part 63, Subpart SSSSS, National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing	See b)(2)e.
f.	40 CFR Part 63, Subpart A (63.1 through 63.15)	Table 11 to Subpart SSSSS of 40 CFR Part 63 – Applicability of General Provisions to Subpart SSSSS shows which parts of the General Provisions in 40 CFR Part 63.1 through 63.15 apply.

(2) Additional Terms and Conditions

a. Visible particulate emissions from any stack shall not exceed 20% opacity as a 6-minute average, except as provided by the rule.

b. Sulfur dioxide emissions from the kiln shall not exceed 20 pounds per ton of actual process weight input.

c. Particulate emissions from this emissions unit shall be less than 10 lbs/hr*.

*The uncontrolled mass rate of particulate emissions (PE) from this emissions unit is less than 10 pounds/hour (the permittee has demonstrated this based on stack testing). Therefore, pursuant to OAC rule 3745-17-11(A)(2)(a)(ii), Figure II of OAC rule 3745-17-11 does not apply. In addition, based on Table I of OAC

rule 3745-17-11, the allowable PE limitation is greater than 10 lbs PE/hr. However, to ensure that Figure II will not be applicable, the permittee has agreed to accept the PE limitation stated above (less than 10 lbs/hr).

d. This emissions unit is subject to a case-by-case MACT determination pursuant to section 112(j) of the Clean Air Act (CAA) due to the March 13, 2007 D.C. Circuit Court of Appeals decision to vacate the Brick MACT (40 CFR Part 63, Subpart JJJJJ).

If notified by the Ohio EPA or U.S. EPA, the permittee shall submit an application for a revision to this Title V permit that meets the requirements of 40 CFR 63.52(a)(2) pertaining to case-by-case MACT determinations. The 30-day clock for submittal of a 112(j) application does not begin until such notification is made by Ohio EPA or U.S. EPA.

e. This emissions unit is classified as an existing “clay refractory products” kiln as defined in section 63.9824 of 40 CFR Part 63, Subpart SSSSS. Per Table 3 of this subpart, the permittee must minimize fuel-based HAP emissions through the use of natural gas, or equivalent, as the kiln fuel, except during periods of natural gas curtailment or supply interruption.

c) Operational Restrictions

(1) The sulfur content of the raw materials used in this emissions unit shall not exceed 0.5% sulfur, by weight, as a monthly composited average.

[Authority for term: OAC rule 3745-77-07(A)(1)]

(2) The permittee shall burn only natural gas in this emissions unit.

[Authority for term: OAC rule 3745-77-07(A)(1)]

(3) The maximum hourly production rate for this emissions unit shall not exceed 9.9 tons per hour of finished brick.

[Authority for term: OAC rule 3745-77-07(A)(1)]

d) Monitoring and/or Recordkeeping Requirements

(1) Each calendar month, the permittee shall collect at least one representative grab sample of dried clay brick material and then combine the grab samples into one composite sample for the calendar quarter. The permittee shall perform the material sampling and analyze each composite sample for sulfur content (weight percent). Each calendar quarter, the permittee also shall collect monthly samples of finished product made from clay, combine the grab samples into one composite sample for the calendar quarter, and analyze each composite sample for sulfur content (weight percent). The analysis shall be done using a method similar to ASTM D 5016, "Sulfur in ash from coal and coke using infrared analysis". The furnace used shall be of the resistance type LECO Model SC32 or SC444, with an analysis temperature at least 2100 degrees F. Alternative, but equivalent methods may be used upon written approval by the Ohio EPA Northeast District Office.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(2) Each calendar month, the permittee shall collect at least one representative grab sample of dried shale brick material and then combine the grab samples into one composite sample for the calendar year. The permittee shall perform the material sampling and analyze each composite sample for sulfur content (weight percent). Each calendar quarter, the permittee also shall collect monthly samples of finished product made from shale, combine the grab samples into one composite sample for the calendar year, and analyze each composite sample for sulfur content (weight percent). The analysis shall be done using a method similar to ASTM D 5016, "Sulfur in ash from coal and coke using infrared analysis." The furnace used shall be of the resistance type LECO Model SC32 or SC444, with an analysis temperature at least 2100 degrees F. Alternative, but equivalent methods may be used upon written approval by the Ohio EPA Northeast District Office.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(3) For each shipment of clay or shale received for processing in this emissions unit, the permittee shall maintain records of the total quantity of material received.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(4) The permittee shall calculate and record the quarterly and annual average sulfur content (% sulfur) of the clay and shale, respectively, processed in this emissions unit, as well as the quarterly sulfur contents (% sulfur) of the finished product made from clay and the finished product made from shale.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(5) Each month, the permittee shall calculate and record the average sulfur dioxide emission rate for clay and shale, based on the most recent sulfur analyses of the raw materials and finished products, in pounds of sulfur dioxide per ton of raw material. This shall be determined by using the following equation:

pounds of SO_2/ton of raw material = (sulfur content [weight %/100%]) X (2 pounds SO_2/ pound sulfur) (2000)

where:

sulfur content = C(dry) - C(fired);

C(dry) = sulfur content in the dry brick or dry raw material sample (kiln input); and

C(fired) = sulfur content in the fired brick sample (kiln output).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(6) For each day during which the permittee burns a fuel other than natural gas, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(7) The permittee shall maintain monthly records of the weight of the finished brick produced in this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(8) The permittee shall maintain monthly records of the weight of the raw material entering this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(9) The permittee shall maintain monthly records of the hours of operation of this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(10) The permittee shall determine the average hourly production rate for this emissions unit. This shall be calculated by dividing (7) by (9) for each month.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(11) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible PE from the stack serving this emissions unit. The presence or absence of any visible 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 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.

The permittee may, upon receipt of written approval from the Ohio EPA Northeast District Office, modify the above-mentioned frequencies for performing the visible emissions checks if operating experience indicates that less frequent visible emissions

checks would be sufficient to ensure compliance with the above-mentioned applicable requirements.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(12) The permittee shall keep the following records, in accordance with section 63.9816(a) through (c):

a. a copy of each notification and report submitted to comply with the subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status; and

b. records that document how you comply with any applicable work practice standard.

[Authority for term: 40 CFR 63.9816]

e) Reporting Requirements

(1) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than natural gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(2) The permittee shall submit deviation (excursion) reports that identify all exceedances of the sulfur dioxide emission limitation of 20 pounds of sulfur dioxide per ton of raw material, based upon the record keeping in d)(5).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(3) The permittee shall submit deviation (excursion) reports that identify all exceedances of the hourly production rate limitation, based upon the record keeping in d)(10).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(4) The permittee shall submit semiannual written reports that identify:

a. all days during which any visible particulate emissions were observed from the stack serving this emissions unit; and

b. any corrective actions taken to minimize or eliminate the visible particulate emissions.

These reports shall be submitted to the Director (the Ohio EPA Northeast District Office) by January 31 and July 31 of each year and shall cover the previous 6-month period.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(5) The permittee shall submit a notification of alternative fuel use if there is intent to use a fuel other than natural gas or equivalent to fire the kiln. This notification shall be submitted within 48 hours of the declaration of a period of natural gas curtailment or

supply interruption. The notification must include the information specified in (f)(1) through (f)(5) of section 63.9812.

[Authority for term: 40 CFR 63.9812(f)]

(6) The permittee shall submit semiannual compliance reports per the requirements in section 63.9814(a) through (f).

[Authority for term: 40 CFR 63.9814]

(7) The permittee shall submit a report of alternative fuel use if a fuel other than natural gas or equivalent is used to fire the kiln. This report shall be submitted within 10 working days after terminating the use of the alternative fuel. The report must include the information specified in (g)(1) through (g)(6) of section 63.9814.

[Authority for term: 40 CFR 63.9814]

f) Testing Requirements

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

a. Emission Limitation:

Visible particulate emissions from any stack shall not exceed 20% opacity as a 6-minute average, except as provided by the rule.

Applicable Compliance Method:

Compliance shall be demonstrated through visible particulate emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9.

[Authority for term: OAC rule 3745-77-07(C)(1) and OAC rule 3745-17-03(B)(1)(a)]

b. Emission Limitation:

Sulfur dioxide emissions from the kiln shall not exceed 20 pounds per ton of actual process weight input

Applicable Compliance Method:

Compliance shall be demonstrated by the emission testing and procedures specified in f)(2) and the record keeping requirements specified in d)(5).

[Authority for term: OAC rule 3745-77-07(C)(1)]

c. Emission Limitation:

Particulate emissions from this emissions unit shall be less than 10 lbs/hr.

Applicable Compliance Method:

Compliance shall be demonstrated by the emission testing and procedures specified in f)(2).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(2) 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 to demonstrate compliance with the allowable particulate and sulfur dioxide emission rates.

b. The emission testing shall be conducted within 6 months after permit issuance and within 6 months prior to permit renewal. If the kiln is shut down due to production constraints during the period when testing is due, then a test shall be required within 90 days of commencing operation.

c. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s): for particulates, Methods 1 through 5 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods may be used with prior approval from the Ohio EPA.

d. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s): for sulfur dioxide, Methods 1 through 4 and Method 6E of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods may be used with prior approval from the Ohio EPA.

e. 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 Ohio EPA Northeast District Office.

f. The sulfur content (% by weight) of the raw material(s) used during the compliance test shall be determined.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA Northeast District Office. 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 Ohio EPA Northeast District Office's refusal to accept the results of the emission test(s).

Personnel from the Ohio EPA Northeast District Office 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.

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 Ohio EPA Northeast

District Office 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 Ohio EPA Northeast District Office.

[Authority for term: OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) None.

4. P005, Tunnel Kiln #2

Operations, Property and/or Equipment Description:

Tunnel kiln #2 used for firing brick (Miller Kiln)

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

(1) 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 3745-17-07(A)	See b)(2)a.
b.	OAC rule 3745-18-56(B) and 40 CFR 52.1881(a)(4)	See b)(2)b.
c.	OAC rule 3745-17-11	See b)(2)c.
d.	40 CFR 63.52(a)(2)	See b)(2)d.
e.	40 CFR Part 63, Subpart SSSSS, National Emission Standards for Hazardous Air Pollutants for Refractory Products Manufacturing	See b)(2)e.
f.	40 CFR Part 63, Subpart A (63.1 through 63.15)	Table 11 to Subpart SSSSS of 40 CFR Part 63 – Applicability of General Provisions to Subpart SSSSS shows which parts of the General Provisions in 40 CFR Part 63.1 through 63.15 apply.

(2) Additional Terms and Conditions

a. Visible particulate emissions from any stack shall not exceed 20% opacity as a 6-minute average, except as provided by the rule.

b. Sulfur dioxide emissions from the kiln shall not exceed 20 pounds per ton of actual process weight input.

c. Particulate emissions from this emissions unit shall be less than 10 lbs/hr*.

*The uncontrolled mass rate of particulate emissions (PE) from this emissions unit is less than 10 pounds/hour (the permittee has demonstrated this based on stack testing). Therefore, pursuant to OAC rule 3745-17-11(A)(2)(a)(ii), Figure II of OAC rule 3745-17-11 does not apply. In addition, based on Table I of OAC

rule 3745-17-11, the allowable PE limitation is greater than 10 lbs PE/hr. However, to ensure that Figure II will not be applicable, the permittee has agreed to accept the PE limitation stated above (less than 10 lbs/hr).

d. This emissions unit is subject to a case-by-case MACT determination pursuant to section 112(j) of the Clean Air Act (CAA) due to the March 13, 2007 D.C. Circuit Court of Appeals decision to vacate the Brick MACT (40 CFR Part 63, Subpart JJJJJ).

If notified by the Ohio EPA or U.S. EPA, the permittee shall submit an application for a revision to this Title V permit that meets the requirements of 40 CFR 63.52(a)(2) pertaining to case-by-case MACT determinations. The 30-day clock for submittal of a 112(j) application does not begin until such notification is made by Ohio EPA or U.S. EPA.

e. This emissions unit is classified as an existing “clay refractory products” kiln as defined in section 63.9824 of 40 CFR Part 63, Subpart SSSSS. Per Table 3 of this subpart, the permittee must minimize fuel-based HAP emissions through the use of natural gas, or equivalent, as the kiln fuel, except during periods of natural gas curtailment or supply interruption.

c) Operational Restrictions

(1) The sulfur content of the raw materials used in this emissions unit shall not exceed 0.5% sulfur, by weight, as a monthly composited average.

[Authority for term: OAC rule 3745-77-07(A)(1)]

(2) The permittee shall burn only natural gas in this emissions unit.

[Authority for term: OAC rule 3745-77-07(A)(1)]

(3) The maximum hourly production rate for this emissions unit shall not exceed 9.9 tons per hour of finished brick.

[Authority for term: OAC rule 3745-77-07(A)(1)]

d) Monitoring and/or Recordkeeping Requirements

(1) Each calendar month, the permittee shall collect at least one representative grab sample of dried clay brick material and then combine the grab samples into one composite sample for the calendar quarter. The permittee shall perform the material sampling and analyze each composite sample for sulfur content (weight percent). Each calendar quarter, the permittee also shall collect monthly samples of finished product made from clay, combine the grab samples into one composite sample for the calendar quarter, and analyze each composite sample for sulfur content (weight percent). The analysis shall be done using a method similar to ASTM D 5016, "Sulfur in ash from coal and coke using infrared analysis". The furnace used shall be of the resistance type LECO Model SC32 or SC444, with an analysis temperature at least 2100 degrees F. Alternative, but equivalent methods may be used upon written approval by the Ohio EPA Northeast District Office.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(2) Each calendar month, the permittee shall collect at least one representative grab sample of dried shale brick material and then combine the grab samples into one composite sample for the calendar year. The permittee shall perform the material sampling and analyze each composite sample for sulfur content (weight percent). Each calendar quarter, the permittee also shall collect monthly samples of finished product made from shale, combine the grab samples into one composite sample for the calendar year, and analyze each composite sample for sulfur content (weight percent). The analysis shall be done using a method similar to ASTM D 5016, "Sulfur in ash from coal and coke using infrared analysis." The furnace used shall be of the resistance type LECO Model SC32 or SC444, with an analysis temperature at least 2100 degrees F. Alternative, but equivalent methods may be used upon written approval by the Ohio EPA Northeast District Office.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(3) For each shipment of clay or shale received for processing in this emissions unit, the permittee shall maintain records of the total quantity of material received.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(4) The permittee shall calculate and record the quarterly and annual average sulfur content (% sulfur) of the clay and shale, respectively, processed in this emissions unit, as well as the quarterly sulfur contents (% sulfur) of the finished product made from clay and the finished product made from shale.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(5) Each month, the permittee shall calculate and record the average sulfur dioxide emission rate for clay and shale, based on the most recent sulfur analyses of the raw materials and finished products, in pounds of sulfur dioxide per ton of raw material. This shall be determined by using the following equation:

pounds of SO_2/ton of raw material = (sulfur content [weight %/100%]) X (2 pounds SO_2/ pound sulfur) (2000)

where:

sulfur content = C(dry) - C(fired);

C(dry) = sulfur content in the dry brick or dry raw material sample (kiln input); and

C(fired) = sulfur content in the fired brick sample (kiln output).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(6) For each day during which the permittee burns a fuel other than natural gas, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(7) The permittee shall maintain monthly records of the weight of the finished brick produced in this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(8) The permittee shall maintain monthly records of the weight of the raw material entering this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(9) The permittee shall maintain monthly records of the hours of operation of this emissions unit.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(10) The permittee shall determine the average hourly production rate for this emissions unit. This shall be calculated by dividing (7) by (9) for each month.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(11) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible PE from the stack serving this emissions unit. The presence or absence of any visible 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 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.

The permittee may, upon receipt of written approval from the Ohio EPA Northeast District Office, modify the above-mentioned frequencies for performing the visible emissions checks if operating experience indicates that less frequent visible emissions

checks would be sufficient to ensure compliance with the above-mentioned applicable requirements.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(12) The permittee shall keep the following records, in accordance with section 63.9816(a) through (c):

a. a copy of each notification and report submitted to comply with the subpart, including all documentation supporting any Initial Notification or Notification of Compliance Status; and

b. records that document how you comply with any applicable work practice standard.

[Authority for term: 40 CFR 63.9816]

e) Reporting Requirements

(1) The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than natural gas was burned in this emissions unit. Each report shall be submitted within 30 days after the deviation occurs.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(2) The permittee shall submit deviation (excursion) reports that identify all exceedances of the sulfur dioxide emission limitation of 20 pounds of sulfur dioxide per ton of raw material, based upon the record keeping in d)(5).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(3) The permittee shall submit deviation (excursion) reports that identify all exceedances of the hourly production rate limitation, based upon the record keeping in d)(10).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(4) The permittee shall submit semiannual written reports that identify:

a. all days during which any visible particulate emissions were observed from the stack serving this emissions unit; and

b. any corrective actions taken to minimize or eliminate the visible particulate emissions.

These reports shall be submitted to the Director (the Ohio EPA Northeast District Office) by January 31 and July 31 of each year and shall cover the previous 6-month period.

[Authority for term: OAC rule 3745-77-07(C)(1)]

(5) The permittee shall submit a notification of alternative fuel use if there is intent to use a fuel other than natural gas or equivalent to fire the kiln. This notification shall be submitted within 48 hours of the declaration of a period of natural gas curtailment or

supply interruption. The notification must include the information specified in (f)(1) through (f)(5) of section 63.9812.

[Authority for term: 40 CFR 63.9812(f)]

(6) The permittee shall submit semiannual compliance reports per the requirements in section 63.9814(a) through (f).

[Authority for term: 40 CFR 63.9814]

(7) The permittee shall submit a report of alternative fuel use if a fuel other than natural gas or equivalent is used to fire the kiln. This report shall be submitted within 10 working days after terminating the use of the alternative fuel. The report must include the information specified in (g)(1) through (g)(6) of section 63.9814.

[Authority for term: 40 CFR 63.9814]

f) Testing Requirements

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

a. Emission Limitation:

Visible particulate emissions from any stack shall not exceed 20% opacity as a 6-minute average, except as provided by the rule.

Applicable Compliance Method:

Compliance shall be demonstrated through visible particulate emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9.

[Authority for term: OAC rule 3745-77-07(C)(1) and OAC rule 3745-17-03(B)(1)(a)]

b. Emission Limitation:

Sulfur dioxide emissions from the kiln shall not exceed 20 pounds per ton of actual process weight input

Applicable Compliance Method:

Compliance shall be demonstrated by the emission testing and procedures specified in f)(2) and the record keeping requirements specified in d)(5).

[Authority for term: OAC rule 3745-77-07(C)(1)]

c. Emission Limitation:

Particulate emissions from this emissions unit shall be less than 10 lbs/hr.

Applicable Compliance Method:

Compliance shall be demonstrated by the emission testing and procedures specified in f)(2).

[Authority for term: OAC rule 3745-77-07(C)(1)]

(2) 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 to demonstrate compliance with the allowable particulate and sulfur dioxide emission rates.

b. The emission testing shall be conducted within 6 months after permit issuance and within 6 months prior to permit renewal. If the kiln is shut down due to production constraints during the period when testing is due, then a test shall be required within 90 days of commencing operation.

c. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s): for particulates, Methods 1 through 5 of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods may be used with prior approval from the Ohio EPA.

d. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s): for sulfur dioxide, Methods 1 through 4 and Method 6E of 40 CFR Part 60, Appendix A. Alternative U.S. EPA-approved test methods may be used with prior approval from the Ohio EPA.

e. 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 Ohio EPA Northeast District Office.

f. The sulfur content (% by weight) of the raw material(s) used during the compliance test shall be determined.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA Northeast District Office. 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 Ohio EPA Northeast District Office's refusal to accept the results of the emission test(s).

Personnel from the Ohio EPA Northeast District Office 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.

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 Ohio EPA Northeast

District Office 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 Ohio EPA Northeast District Office.

[Authority for term: OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) None.

5. P007, Mechanical Tumbler

Operations, Property and/or Equipment Description:

Surface finishing of bricks

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

(1) 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 3745-17-07(A)	The emission limitation required by this applicable rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
b.	OAC rule 3745-17-11	The emission limitation required by this applicable rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
c.	OAC rule 3745-31-05(A)(3) (PTI 02-12495)	See b)(2)a through b)(2)c.

(2) Additional Terms and Conditions

a. Particulate emissions from the fabric filter baghouse exhaust shall not exceed 0.03 grain per dry standard cubic foot (gr/dscf) of exhaust gases, 0.47 pound per hour and 2.06 tons per year.

b. Visible particulate emissions from the stack shall not exceed 5% opacity, as a 6-minute average.

c. The emissions from this emissions unit shall be vented to the baghouse at all times the emissions unit is in operation.

c) Operational Restrictions

(1) The pressure drop across the baghouse shall be maintained within the range of 2 to 6 inches of water while the emissions unit is in operation.

[Authority for term: PTI 02-12495 and OAC rule 3745-77-07(A)(1)]

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall properly install, operate, and maintain equipment to continuously monitor the pressure drop, in inches of water, across the baghouse when the controlled emissions unit(s) is/are in operation, including periods of startup and shutdown. The permittee shall record the pressure drop across the baghouse on a daily basis. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s), with any modifications deemed necessary by the permittee.

Whenever the monitored value for the pressure drop deviates from the limit or range established in accordance with this permit, the permittee shall promptly investigate the cause of the deviation. The permittee shall maintain records of the following information for each investigation:

a. the date and time the deviation began;

b. the magnitude of the deviation at that time;

c. the date the investigation was conducted;

d. the name(s) of the personnel who conducted the investigation; and

e. the findings and recommendations.

In response to each required investigation to determine the cause of a deviation, the permittee shall take prompt corrective action to bring the operation of the control equipment within the acceptable range specified in this permit, unless the permittee determines that corrective action is not necessary and documents the reasons for that determination and the date and time the deviation ended. The permittee shall maintain records of the following information for each corrective action taken:

a. a description of the corrective action;

b. the date corrective action was completed;

c. the date and time the deviation ended;

d. the total period of time (in minutes) during which there was a deviation;

e. the pressure drop readings immediately after the corrective action was implemented; and

f. the name(s) of the personnel who performed the work.

Investigation and records required by this paragraph do not eliminate the need to comply with the requirements of OAC rule 3745-15-06 if it is determined that a malfunction has occurred.

This range or limit on the pressure drop across the baghouse is effective for the duration of this permit, unless revisions are requested by the permittee and approved in writing by the Ohio EPA Northeast District Office. The permittee may request revisions to the

permitted limit or range for the pressure drop based upon information obtained during future testing that demonstrate compliance with the allowable particulate emission rate for the controlled emissions unit(s). In addition, approved revisions to the range or limit will not constitute a relaxation of the monitoring requirements of this permit and may be incorporated into this permit by means of a minor permit modification.

[Authority for term: PTI 02-12495 and OAC rule 3745-77-07(C)(1)]

(2) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible particulate emissions from the stack serving this emissions unit. The presence or absence of any visible 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 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.

The permittee may, upon receipt of written approval from the Ohio EPA Northeast District Office, modify the above-mentioned frequencies for performing the visible emissions checks if operating experience indicates that less frequent visible emissions checks would be sufficient to ensure compliance with the above-mentioned applicable requirements.

[Authority for term: OAC rule 3745-77-07(C)(1)]

e) Reporting Requirements

(1) The permittee shall submit quarterly deviation (excursion) reports that identify all periods of time during which the following baghouse parameters were not maintained at or above the required levels:

a. each period of time (start time and date, and end time and date) when the pressure drop across the baghouse was outside of the acceptable range;

b. any period of time (start time and date, and end time and date) when the emissions unit(s) was/were in operation and the process emissions were not vented to the baghouse;

c. each incident of deviation described in "a" (above) where a prompt investigation was not conducted;

d. each incident of deviation described in "a" where prompt corrective action, that would bring the pressure drop into compliance with the acceptable range, was determined to be necessary and was not taken; and

e. each incident of deviation described in "a" where proper records were not maintained for the investigation and/or the corrective action(s), as identified in the monitoring and record keeping requirements of this permit.

[Authority for term: PTI 02-12495, OAC rule 3745-15-03(B)(1)(a), OAC rule 3745-15-03(C) and OAC rule 3745-77-07(C)(1)]

(2) The permittee shall submit semiannual written reports that identify:

a. all days during which any visible particulate emissions were observed from the stack serving this emissions unit; and

b. any corrective actions taken to minimize or eliminate the visible particulate emissions.

These reports shall be submitted to the Director (the Ohio EPA Northeast District Office) by January 31 and July 31 of each year and shall cover the previous 6-month period.

[Authority for term: OAC rule 3745-77-07(C)(1)]

f) Testing Requirements

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

a. <u>Emission Limitation</u>:

Particulate emissions from the fabric filter baghouse exhaust shall not exceed 0.03 grain per dry standard cubic foot (gr/dscf) of exhaust gases and 0.47 pound per hour.

<u>Applicable Compliance Method</u>:

If required, compliance with these particulate emission limitations shall be demonstrated in accordance with 40 CFR Part 60, Appendix A, Methods 1 through 5 and the procedures in OAC rule 3745-17-03(B)(10).

[Authority for term: OAC rule 3745-77-07(C)(1)]

b. Emission Limitation:

Particulate emissions from the fabric filter baghouse exhaust shall not exceed 2.06 tons per year.

Applicable Compliance Method:

The tpy emission limitation was developed by multiplying the short-term allowable particulate emission limitation (0.47 lb/hr) by the maximum annual hours of operation (8,760 hours), and then dividing by 2,000 lbs per ton. Therefore, if compliance is shown with the short-term allowable emission limitation, compliance shall also be shown with the annual emission limitation.

[Authority for term: OAC rule 3745-77-07(C)(1)]

c. Emission Limitation:

Visible particulate emissions from the stack shall not exceed 5% opacity, as a 6-minute average.

Applicable Compliance Method:

Compliance shall be demonstrated through visible particulate emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9.

[Authority for term: PTI 02-12495, OAC rule 3745-77-07(C)(1) and OAC rule 3745-17-03(B)(1)(a)]

g) Miscellaneous Requirements

(1) None.