



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL MODIFICATION
HOLMES COUNTY**

CERTIFIED MAIL

Street Address:

50 West Town Street, Suite 700

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:
Lazarus Gov. Center
P.O. Box 1049

Application No: 02-19951

Fac ID: 0238000121

DATE: 3/6/2007

Holmes County Landfill
Frank Lasky
1631 East Avenue
Erie, OH 16503

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

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

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

Sincerely,

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

CC: USEPA

NEDO



**Permit To Install
Terms and Conditions**

**Issue Date: 3/6/2007
Effective Date: 3/6/2007**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 02-19951

Application Number: 02-19951
Facility ID: 0238000121
Permit Fee: **\$600**
Name of Facility: Holmes County Landfill
Person to Contact: Frank Lasky
Address: 1631 East Avenue
Erie, OH 16503

Location of proposed air contaminant source(s) [emissions unit(s)]:

**6601 Township Route 326
Millersburg, Ohio**

Description of proposed emissions unit(s):

Administrative modification to PTI 02-19951 to correct the terms and conditions.

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski
Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping 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 (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) 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. 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.)

3. Records Retention Requirements

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.

4. 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

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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.

5. 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).

6. 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.

7. 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.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

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

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. Best Available Technology

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

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13. Source Operation and Operating Permit Requirements After Completion of Construction

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

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. 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. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons Per Year</u>
PE	112.2

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**A. Applicable Emissions Limitations and/or Control Requirements**

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Operations, Property, and/or Equipment - (F002) - Facility Roadway and Parking Areas Supporting Both the CDD and MSW Landfills

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	No visible particulate emissions except for three minutes during any 60-minute period from any unpaved roadway or parking area surface. Particulate emissions shall not exceed 42 tons per year.
OAC rule 3745-17-07(B)	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).
OAC rule 3745-17-08(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 3745-17-07(B).

2. Additional Terms and Conditions

- 2.a All roadways and parking areas are covered by this permit and subject to the above-mentioned requirements.
- 2.b In accordance with the permittee's permit application, the permittee has committed to treat the roadways and parking areas with water via a spray truck at sufficient treatment frequencies to ensure compliance and to limit vehicles to a speed of 10 miles per hour. If watering and speed reduction are not sufficient to control emissions, Ohio EPA may require additional fugitive dust control measures. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.c The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of

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this permit. Implementation of the control measures shall not be necessary for any roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.

- 2.d** Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface resulting from the application of certain types of dust suppressants, may be controlled with the control measure(s) specified above for paved surfaces. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking areas.
- 2.e** The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- 2.f** There shall be no visible particulate emissions except for one minute during any 60-minute period from any paved roadway area surface where facility vehicles enter or leave the premises as a result of material drag out.
- 2.g** Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.
- 2.h** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.
- 2.i** If control measures for the minimization of the deposit of mud or dust on public roads are insufficient to achieve compliance with applicable emission limitations and/or control requirements, Ohio EPA may require the permittee to submit to NEDO an approvable plan and schedule for the design, installation, maintenance, and operation of a wheel and undercarriage washing station that shall be used by all vehicles leaving the facility. The design shall include

adequate onsite travel distance on well-maintained surfaces to allow the vehicles to properly "throw off" any excess water the truck wheels may hold to eliminate the potential of causing water slicks, ice, etc. from forming on any public thoroughfares.

B. Operational Restrictions

1. Used oil as defined by OAC rule 3745-279-01 shall not be used as a dust suppressant.
2. The permittee shall have posted speed limit signs identifying 10 miles per hour as the maximum on-site speed limit on unpaved roadways.

C. Monitoring and/or Record keeping Requirements

1. Except as otherwise provided in this section, the permittee shall perform daily inspections of the roadways and parking areas.
2. The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
3. The permittee may, upon receipt of written approval from the Northeast District Office of Ohio EPA, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
4. The permittee shall maintain records of the following information:
 - a. The date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. The date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. The dates the control measures were implemented; and

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- d. On a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in section C.4.d shall be kept separately for (i) the paved roadways and parking areas and (ii) the unpaved roadways and parking areas, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. Each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. Each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

1. Emission Limitation:

No visible particulate emissions except for 3 minutes during any 60-minute observation period from any unpaved roadway or parking area surface.

Applicable Compliance Method:

Compliance with the emission limitation for unpaved roadways and parking areas shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 2002, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

2. Emission Limitation:

42 tons of particulate emissions per year.

Applicable Compliance Method:

$$C_{o m} E \left(\frac{ton}{yr} \right) = \left[k * \left(\frac{s}{12} \right)^a \left(\frac{W}{3} \right)^b \right] * \left[\frac{365 - P}{365} \right] * \left(\frac{ton}{2000lb} \right) * (MILES) \left(\frac{MATLin}{Avgpayload} \right) * 2$$

pliance shall be determined by summing the equations from AP-42 Chapters 13.2.1 (12/03) for paved and 13.2.2 (12/03) for unpaved roadways below:

where:

k = the particle size multiplier for unpaved roadways, 4.9 lb/VMT for TSP on industrial access roads;

s = the surface material silt content, 6.4 % assumed (from AP-42);

a = a constant, 0.7 for TSP on industrial roads;

W = the mean vehicle weight, 17.5 tons from the application;

b = a constant, 0.45 for TSP on industrial roads;

P = the no. of dates with more than 0.01 inches of precipitation (156.4 for Cleveland);

MILES = the total miles traveled, one-way, from application 0.20 for CDD and 0.71 for MSW and storage pile management;

MATLin = the projected based on the AMDWR for MSW (500 TPD), the CDD projected daily maximum acceptance rate for CDD (500 TPD), a 286 workday per year operating schedule, 1,500 tons of aggregate brought in per year;

Avgpayload = the average amount of waste brought in each truck, from application 12.3 tons/truck; and

2 = the factor to cover both the trip in and the trip out.

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F. Miscellaneous Requirements

1. These terms and conditions replace any previously-issued terms and conditions for the roadways located at this facility.

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PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**A. Applicable Emissions Limitations and/or Control Requirements**

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Operations, Property, and/or Equipment - (F003) - Facility Storage Piles Supporting Both the CDD and MSW Landfills - material load in/out and wind erosion

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	<p>There shall be no visible emissions of fugitive dust except for a period of time not to exceed one minute during any sixty-minute observation period.</p> <p>Particulate emissions shall not exceed 11 TPY from wind erosion and load-in and load-out operations.</p> <p>The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust.</p>
OAC rule 3745-17-07(B)	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).
OAC rule 3745-17-08(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 3745-17-07(B).

2. Additional Terms and Conditions

- 2.a All of the storage piles at this facility are covered by this permit and are subject to the requirements of OAC rule 3745-31-05.
- 2.b In accordance with the permittee's permit application, the permittee has committed to process aggregate material with inherently high moisture content and to minimize drop height distance from front-end loaders to ensure

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compliance. If at any time the moisture content is not sufficient to meet the above emission limitations for all load-in and load-out operations associated with storage piles, the permittee shall employ fugitive dust control measures to ensure compliance. Fugitive dust control measures can include, but are not limited to, the use of water, the use of other dust suppressant materials, or the use of non dust-producing approved cover materials. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.c** The above-mentioned control measures shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during any such operation until further observation confirms that use of the measure is unnecessary.
- 2.d** In accordance with the permittee's permit application, the permittee has committed to process aggregate material with inherently high moisture content to ensure compliance. If at any time the moisture content is not sufficient to meet the above emission limitation for wind erosion from the surfaces of all storage piles, the permittee shall employ fugitive dust control measures to ensure compliance. Fugitive dust control measures can include, but are not limited to, the use of water, the use of other dust suppressant materials, or the use of non dust producing approved cover materials. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.e** The above-mentioned control measures shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of additional control measures shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.
- 2.f** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

B. Operational Restrictions

None

C. Monitoring and/or Record keeping Requirements

1. Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each storage pile at this facility on a weekly basis.
2. Except as otherwise provided in this section, the permittee shall perform inspections of each load-out operation at each storage pile at this facility on a weekly basis.
3. Except as otherwise provided in this section, the permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile at this facility on a weekly basis.
4. No inspection shall be necessary for wind erosion from the surface of a storage pile when the pile is covered with snow and/or ice and for any storage pile activity if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
5. The purpose of the inspections is to ensure continued compliance for load-in and load-out of a storage pile and for wind erosion from the surface of a storage pile and determine the need for implementing additional control measures. The inspections shall be performed during representative, normal storage pile operating conditions.
6. The permittee may, upon receipt of written approval from the Northeast District Office of Ohio EPA, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
7. The permittee shall maintain records of the following information:
 - a. The date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;

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- b. The date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
- c. The dates the control measure(s) were implemented; and
- d. On a calendar quarter basis, the total number of days the control measure(s) were implemented and, for wind erosion from pile surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in 7.d. shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (iii) the pile surfaces (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

- 1. The permittee shall submit deviation (exceedance) reports that identify any of the following occurrences:
 - a. Each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. Each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
- 2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

- 1. Compliance with the emission limitations specified in section A.1 of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emission Limitation:

There shall be no visible emissions of fugitive dust except for a period of time not to exceed one minute during any sixty-minute observation period.

Emissions Unit ID: F002

Applicable Compliance Method:

Compliance with the visible emission limitations for the wind erosion and load-in and load-out operations from the storage piles identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 2002.

b. Emission Limitation:

Particulate emissions shall not exceed 11 TPY from wind erosion and load-in and load-out operations.

Applicable Compliance Method:

The permittee shall demonstrate compliance by adding maximum potential emissions from wind erosion and material load in/out from soil storage piles.

The potential emission rate for wind erosion is calculated as determined by the method from U.S. EPA's Control of Open Fugitive Dust Sources, Equation 4-9 (September 1988), as follows:

$$[1.9 * (s/1.5) * (365 - p)/235 * (f/15)] \text{ lb/acre/day} * 1 \text{ acre} * 365 \text{ days/yr} * \text{ton}/2,000 \text{ lb} * 3 \text{ piles}$$

where:

s = the silt content (%) of the cover material (assume 10%);

p = number of days with at least 0.01 inches of precipitation per year, 156.4 days (Cleveland); and

f = percent of time wind is at least 12 mph, 26.51% (Cleveland).

The potential emission rate for waste handling is calculated as determined from AP-42, Chapter 13.2.4.3 (1/95), as follows:

$$E = [(0.74) * (0.0032) * (U/5)^{1.3} / (M/2)^{1.2}] \text{ lb/ton} * 143,000 \text{ tons/yr} * \text{ton}/2,000 \text{ lb} * 2$$

where:

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U = mean wind speed, 10.8 for Cleveland;

M = moisture content of the soil, assume 10%;

143,000 = cover soil material handled annually, estimated as half the annual waste receipt from application; and

2 = accounts for load-in and load-out.

F. Miscellaneous Requirements

None

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PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**A. Applicable Emissions Limitations and/or Control Requirements**

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Operations, Property, and/or Equipment - (F004) - Construction and demolition Debris (CDD) landfill operations - waste disposal activities including dumping, spreading, compacting, covering, and gas generation.

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	59 tons of fugitive particulate emissions (PE)/year Visible fugitive particulate emissions shall not exceed 20% opacity, as a 3-minute average. Use of fugitive dust control measures at sufficient frequencies to comply with the above emission limitations. See sections A.2.b through A.2.d below.
OAC rule 3745-17-07(B)	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).
OAC rule 3745-17-08(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 3745-17-07(B).

2. Additional Terms and Conditions

- 2.a The landfill fugitive dust operations/sources that are covered by this permit and are subject to the requirements of OAC rule 3745-31-05 are listed below:
 - i. waste dumping/unloading;
 - ii. waste compaction;

- iii. soil excavation and handling;
 - iv. covering of waste with soil; and
 - v. wind erosion from landfill surfaces.
- 2.b** In accordance with the permit application, the permittee maintains that the inherent moisture content of the materials involved in fugitive dust operations/sources is at a level which is more than sufficient to comply with all applicable requirements. If at any time the moisture content is not sufficient to meet the above emission limitations, the permittee shall employ fugitive dust control measures to ensure compliance. Fugitive dust control measures can include, but are not limited to, the use of water, the use of other dust suppressant materials, or the use of non dust-producing approved cover materials.
- 2.c** The above-identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the fugitive dust operation/sources until further observation confirms that use of the control measure(s) is unnecessary.
- 2.d** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.
- 2.e** There shall be no open burning in violation of Ohio Administrative Code chapter 3745-19 at this facility.
- 2.f** The following asbestos requirements are to be met:
- i. The facility shall not accept for disposal any National Emission Standards for Hazardous Air Pollutants (NESHAP) regulated asbestos containing material (RACM) as defined in the NESHAP Regulation for Asbestos, 40 CFR Part 61, Subpart M, Section 141 amended November 20, 1990 or any subsequent revisions or as defined in any Environmental Protection Agency Interpretive Rules concerning the NESHAP Regulation for Asbestos. This includes: (a) friable asbestos material, (b) Category I

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nonfriable asbestos containing material that has become friable, (c) Category I nonfriable asbestos containing material that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable asbestos containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

- ii. This facility shall ensure that any asbestos containing materials shall not become friable while at the landfill. If any asbestos material arrives at or becomes friable at the landfill, this facility shall adequately wet or encapsulate it if necessary to prevent visible emissions, and shall cover it with at least six (6) inches of non-asbestos containing material before the end of the operating day.
- iii. All terms stated in this term are defined in the NESHAP regulation for Asbestos, 40 CFR Part 61, Subpart M, Section 141 amended November 20, 1990 or any subsequent revisions or in any Environmental Protection Agency Interpretive ruling concerning the NESHAP for Asbestos.

2.g Hydrogen Sulfide Emissions Contingency Plan

Under Sub. Am. H.B. 397, effective December 22, 2005, Ohio EPA is required to develop rules governing the operation of construction and demolition debris (C&DD) landfills. Sub. Am. H.B. 397 authorizes the Director of Ohio EPA to adopt rules requiring contingency plans for effective action in response to hydrogen sulfide or other gases created by the operation of a C&DD facility. Because these rules are not yet written, Ohio EPA has not placed terms and conditions detailing the contingency plan requirements in this permit. However, Ohio EPA believes it is important to have in place a contingency plan to deal with potential hydrogen sulfide/other gas emissions from C&DD facilities. Therefore, as a condition of this permit, the permittee is required to develop and implement a hydrogen sulfide / other gas emission contingency plan by the dates required for sources in the C&DD rules developed in response to Sub. Am. H.B. 397.

B. Operational Restrictions

None

C. Monitoring and/or Record keeping Requirements

- 1. Except as otherwise provided in this section, the permittee shall perform inspections of the landfill fugitive dust operations/sources in accordance with the following frequencies:

<u>landfill fugitive dust operations/sources</u>	<u>minimum inspection frequency</u>
Waste dumping/unloading	once during each day of operation
Waste compaction	once during each day of operation
Soil excavation and handling	once during each day of operation
Covering of waste with soil operation	once during each day of
Wind erosion from landfill surfaces	once during each day of operation

- 2. The purpose of the inspections is to determine the need for implementing the above-mentioned control measures for particulate emissions. The inspections shall be performed during representative, normal operating conditions. No inspection shall be necessary for a landfill fugitive dust operation/source that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next inspection is within one week.
- 3. The permittee may, upon receipt of written approval from the Northeast District Office of Ohio EPA, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
- 4. The permittee shall maintain records of the following information:
 - a. The date and reason any required inspection was not performed;
 - b. The date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
 - c. The dates the control measure(s) was (were) implemented; and

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- d. On a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information required by this term shall be kept separately for each landfill fugitive dust operation/source identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

1. Compliance with the emission limitations specified in section A.1 of these terms and conditions shall be determined in accordance with the following methods:

- a. Emission Limitation:

59 tons of fugitive PE/year

$$F_{001}(TPY) = (6.33 \times 10^{-4}) * (365 - p) * (f) * (acres) + (6.81 \times 10^{-5}) * (AMDWR) * \left(\frac{U}{5}\right)^{1.3} + (52.09)$$

A

p

Applicable Compliance Method:

The permittee shall demonstrate compliance by use of the following equation, derived using standard AP-42 and U.S. EPA emission factors, and accounts for emissions from wind erosion, daily cover material handling and placement, handling of waste (dumping waste), spreading, grading, and compaction of

waste:

where:

p is the no. of dates with more than 0.01 inches of precipitation (156.4 for Cleveland);

f is the percent of time wind speed is greater than 12 mph (26.51 for Cleveland);

acres is the maximum total exposed acreage at any time (assume working face never exceeds 2 acres);

AMDWR is the anticipated maximum daily waste receipt (500 tons/day from application); and

U is the mean wind speed (10.8 for Cleveland).

b. Emission Limitation:

Visible fugitive particulate emissions shall not exceed 20% opacity, as a 3-minute average.

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance in accordance with 40 CFR Part 60, Appendix A, Method 9.

F. Miscellaneous Requirements

None