



Environmental Protection Agency

John R. Kasich, Governor  
Mary Taylor, Lt. Governor  
Scott J. Nally, Director

5/26/2011

Certified Mail

Josh Manley  
DP&L, J.M. Stuart Generating Station  
P.O. Box 468  
Aberdeen, OH 45101

No	TOXIC REVIEW
Yes	PSD
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT/GACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
Yes	MODELING SUBMITTED

RE: DRAFT AIR POLLUTION PERMIT-TO-INSTALL  
Facility ID: 0701000007  
Permit Number: P0106503  
Permit Type: Initial Installation  
County: Adams

Dear Permit Holder:

A draft of the Ohio Administrative Code (OAC) Chapter 3745-31 Air Pollution Permit-to-Install for the referenced facility has been issued for the emissions unit(s) listed in the Authorization section of the enclosed draft permit. This draft action is not an authorization to begin construction or modification of your emissions unit(s). The purpose of this draft is to solicit public comments on the permit. A public notice will appear in the Ohio EPA Weekly Review and the local newspaper, The Peoples Defender. A copy of the public notice 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](http://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  
50 West Town Street, Suite 700  
P.O. Box 1049  
Columbus, Ohio 43216-1049

and Portsmouth City Health Dept., Air Pollution Unit  
605 Washington Street  
3rd Floor  
Portsmouth, OH 45662

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 issuing a final permit-to-install will be made after consideration of comments received and oral testimony if a public hearing is conducted. Any permit fee that will be due upon issuance of a final Permit-to-Install is indicated in the Authorization section. Please do not submit any payment now. If you have any questions, please contact Portsmouth City Health Dept., Air Pollution Unit at (740)353-5156.

Sincerely,

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

Cc: U.S. EPA Region 5 -Via E-Mail Notification  
Portsmouth; Kentucky; West Virginia



# Permit Strategy Write-Up

## STAFF DETERMINATION FOR THE APPLICATION TO INSTALL THREE NEW EMISSIONS UNITS UNDER THE PREVENTION OF SIGNIFICANT DETERIORATION REGULATIONS FOR THE DP&L J.M. STUART GENERATING STATION LOCATED IN SPRIGG TOWNSHIP, ADAMS COUNTY, ABERDEEN OHIO PERMIT TO INSTALL NO. P0106503

The Clean Air Act and regulations promulgated thereunder require that major air pollution sources undergoing construction or modification comply with all applicable Prevention of Significant Deterioration (PSD) provisions and nonattainment area New Source Review (NSR) requirements. The federal PSD rules govern emission increases in attainment areas for major stationary sources, which are facilities with the potential to emit 250 tons per year or more of any pollutant regulated under the Clean Air Act, or 100 tons per year or more if the source is included in one of 28 source categories. In nonattainment areas, the definition of major stationary source is one having at least 100 tons per year potential emissions. A major modification is one resulting in a contemporaneous net increase in emissions which exceeds the significance level of one or more pollutants. Any changes in actual emissions within this five- or ten-year period are considered to be contemporaneous. In addition, Ohio has incorporated the PSD and NSR requirements by rule under Ohio Administrative Code (OAC) 3745-31, and currently has a program that is fully approved by USEPA. For emissions of particulate matter 2.5 microns and less in diameter (PM<sub>2.5</sub>), Ohio will have to use the requirements established in 40 CFR Part 51, Appendix S until the OAC regulations are modified to include PM<sub>2.5</sub> emissions.

Both PSD and nonattainment rules require that certain analyses be performed before a facility can obtain a permit authorizing construction of a new source or major modification to a major stationary source. The principal requirements of the PSD regulations are:

- 1) Best Available Control Technology (BACT) review - A detailed engineering review must be performed to ensure that BACT is being installed for the pollutants for which the new source is a major stationary source.
- 2) Ambient Air Quality Review - An analysis must be completed to ensure the continued maintenance of the National Ambient Air Quality Standards (NAAQS) and that any increases in ambient air pollutant concentrations do not exceed the incremental values set pursuant to the Clean Air Act.

Since the nonattainment area provisions of the Clean Air Act are not applicable to the proposed project, no further discussion of the nonattainment requirements is included in this discussion.

Finally, New Source Performance Standards (NSPS), National Emissions Standards for Hazardous Air Pollutants (NESHAPs), State Implementation Plan (SIP) emission standards, and public participation requirements must be followed in all cases.

### Site Description

The DP&L Carter Hollow Landfill will be located in Sprigg Township of Adams County, Ohio on a site just north of state route 52 and just east of the DP&L, J.M. Stuart Station. The proposed residual waste landfill will be owned and operated by the DP&L, J.M. Stuart Station and will serve as a destination for gypsum, fly ash and/or bottom ash produced at the DP&L J.M. Stuart and Killen Stations.

## Facility Description

This new operation will consist of the following three fugitive sources: F006-New Carter Hollow Landfill paved roads, F007-Gypsum, fly ash, bottom ash landfill operations and P002- a 25 ton per hour portable crusher and screening plant. In 2008 DP&L installed flue gas desulfurization equipment to control sulfur dioxide emissions generated from the combustion of coal in their boilers. Boiler exhaust gases are passed through a slurry of calcium carbonate within the flue gas desulfurization unit. The sulfur dioxide reacts with the calcium carbonate to form calcium sulfate, otherwise known as gypsum. The ideal solution is to market the gypsum for commercial re-use in wallboard and other products, but since up to 1,600,000 tons of gypsum from Stuart and 400,000 tons from Killen can be generated, the facility has proposed this landfill due to the economic downturn of the wallboard industry. The air emissions generated from this project will consist mostly of various forms of fugitive particulate matter and the project will result in an increase in PM and PM<sub>10</sub> emissions above the significance levels defined in OAC rule 3745-31-01(MMMMM). Therefore, this project must undergo major PSD New Source Review. The overall emissions from the Carter Hollow Landfill project did not trigger LAER requirements.

Adams County is classified as having ambient air quality better than the National Ambient AirQualityStandards(NAAQS)andisdesignatedasattainmentforthecriteria pollutants:PM<sub>10</sub>, SO<sub>2</sub>, NO<sub>x</sub>, CO, lead, and ozone (8-hour standard). Adams County is designated as attainment forthe24-hourPM<sub>2.5</sub>standard;however, Sprigg Township, Adams County, ispartofthe Huntington-Ashland WV-KY- OHnonattainmentareaforthetheannualPM<sub>2.5</sub>NAAQS.

## New Source Review (NSR)/PSD Applicability

DP&LStuartisdefinedasamajorstationarysourceforpurposesofStateandfederalmajor new source review (NSR) programs. Stuart is a major stationary source under Prevention of Significant Deterioration (PSD) regulations. Potential plant-wide emissions of one or more attainmentpollutantsatanelectricitygeneratingstationaregreaterthan100tonspereyear(tpy). DP&LStuartisalsoamajorstationarysourceforPM<sub>2.5</sub>emissionsunderStateandfederalEmission Offset,orNonattainmentNewSourceReview,regulations-potentialplantwideemissions ofdirect PM<sub>2.5</sub> are greater than 100 tpy. Potential SO<sub>2</sub>and NO<sub>x</sub> emissions - PM<sub>2.5</sub>precursor pollutants,are alsogreaterthan100tpy.

With the installation of this residual waste landfill, the project will trigger a BACT analysis for particulate matter (PM) and particulate matter less than or equal to a diameter of 10 microns (PM<sub>10</sub>) only.

In this case, DP&L Stuart must comply with the attainment provisions listed in 3745-31-10 through 20 of the Ohio Administrative Code for PM and PM<sub>10</sub>.

TABLE 1

DP&L J.M. STUART'S POLLUTANT EMISSION RATES

Pollutant	Net Emission Increase Rate (in tpy)	Significant Threshold (in tpy)
PM	102.49	25
PM <sub>10</sub>	22.40	15
NO <sub>x</sub>	10.87	40
CO	3.50	100
VOC	7.98	40
SO <sub>2</sub>	3.68	40

## **Control Technology Review**

The requirement to conduct a BACT analysis and determination is set forth in section 165(a)(4) of the Clean Air Act (Act), in federal regulations at 40 CFR Part 52.21(j), and also in OAC rules 3745-31-15(C) and 3745-31-01(S). The BACT requirement is defined as:

□... an emissions limitation (including a visible emissions standard) based on the maximum degree of reduction for each regulated NSR pollutant which would be emitted from any proposed major stationary source or major modification which the director, on a case-by-case basis, taking into account energy, environmental, and economic impacts and other costs, determines is achievable for such major stationary source or major modification through application of production processes or available methods, systems and techniques, including fuel cleaning or treatment or innovative fuel combustion techniques for control of such pollutant. In no event shall application of best available control technology result in emissions of any pollutant that would exceed the emissions allowed by any applicable standard under 40 CFR Parts 60, 61, and 63. If the director determines that technological or economic limitations on the application of measurement methodology to a particular emissions unit would make the imposition of an emissions standard infeasible, a design, equipment, work practice, operational standard, or combination thereof, may be approved by the director instead to satisfy the requirement for the application of best available control technology. Such standard shall, to the degree possible, set forth the emissions reduction achievable by implementation of such design, equipment, work practice or operation and shall provide for compliance by means which achieve equivalent results.□

The BACT process was further formalized in a memorandum by USEPA on December 1, 1987 and in the draft New Source Review Workshop Manual (dated October 1990) by introducing a "top-down" concept for BACT analysis. The top-down process requires that all available control technologies be ranked in descending order of control effectiveness. The BACT process first examines the most stringent - or "top"- alternative. That alternative is established as BACT unless it is demonstrated that technical considerations, or energy, environmental, or economic impacts justify a conclusion that the most stringent technology is not applicable. If the most stringent technology is eliminated, then the next most stringent alternative is considered, and this process is continued until an acceptable BACT is selected.

The objective of the BACT analysis is to conduct pollutant-specific control technology evaluation per USEPA requirements. The BACT evaluation steps consist of:

Step 1: identify all control technologies;

Step 2: eliminate technically infeasible options;

Step 3: rank remaining control technologies by control effectiveness;

Step 4: evaluate most effective controls and document results; and

Step 5: select the most effective control based on energy, environmental and economic impacts (generally the feasible technology that is also considered to be cost effective).

Process	Control Technology	Control Efficiency	Technically Feasible
Unpaved Roads	Paving	90%	Yes
	Chemical Stabilization	90%	Yes
	Oil & Double Chip	80%	Yes
	Watering	50%	Yes
Paved Roads	Flushing (water)	80%	Yes
	Sweeping (vacuum)	75%	Yes
	Sweeping (broom)	70%	Yes
Unloading	Enclosure with fabric filter	95%	No
	Spray System (water)	50%	Yes
Grading/Compacting	Watering + low speed	90%	Yes
	Speed reduction	80%	Yes
	Watering	50%	Yes
Wind Erosion	Enclosures	50 – 80%	No
	Chemical Stabilization	75 – 90%	No
	Precautions	0 – 25%	Yes
Portable Crushing/Screening	Enclosure with fabric filter	99%	No
	Wet Suppression (chemical)	90%	No
	Water Sprays	70%	Yes

**BACT Analysis: Paved Roadways (F006), Landfill Operations (F007) and Crushing and Screening (P002)**

The selection of BACT for these sources was determined to be the following:

for paved roads (F006) - the use of reduced speed limits, sweeping, (flushing) watering and good housekeeping with an estimated 90% control efficiency;

for landfill operations (F007) - the use of speed reductions, watering, natural wind breaks, inherent high moisture content and a 2,000,000 tons per rolling, 12-month period throughput limitation for gypsum, fly ash, and bottom ash; and

for crushing and screening - the use of water spray nozzles/dust suppression system, minimizing the drop height into the feeder and the diesel crusher engines shall be Tier III CARB certified engines.

See specific details of the BACT analysis in the air permit-to-install application.

**New Source Performance Standards (NSPS) Applicability**

The Carter Hollow Landfill project does not cause DP&L emissions units F006, F007 and P002 to become subject to any currently effective regulation promulgated under 40 CFR Part 60.

## **National Emissions Standards for Hazardous Air Pollutants (NESHAP) Applicability**

The Carter Hollow Landfill project does not cause DP&L emissions units F006, F007 and P002 to become subject to any currently effective regulation promulgated under 40 CFR Part 63.

### **Electric Utility MACT Standard**

There are no emission standards promulgated under Part 63 applicable to electric utility steam generating units. U.S. EPA has initiated work to develop emissions standards for power plants under Clean Air Act section 112, consistent with a D.C. Circuit Court opinion regarding the Clean Air Mercury Rule (CAMR). The Court has issued the final Consent Decree that calls for signature of the proposed rule no later than March 16, 2011 and of the final rule no later than November 16, 2011. DP&L will comply with all applicable requirements of this rule once promulgated and within the timeframe allowed by the compliance schedule included in the regulation.

### **CAA Section 112(g) - Review of Major New HAP Sources**

CAA Section 112(g) as provided in OAC rule 3745-31-28 - Review of major stationary sources of HAPs requiring MACT determinations does not apply to the Carter Hollow Landfill project. This rule applies only to a major source of HAP emissions that commenced construction or reconstruction on or after June 29, 1998 and for which a MACT standard or case-by-case MACT determination has not been issued. The Carter Hollow Landfill project is not a major source of HAP emissions.

## **Modeling Summary**

The Dayton Power and Light Company is located in AQCR 103 in Adams County, Ohio. The area is attainment for all criteria pollutants, except PM<sub>2.5</sub>. Adams County is a partial nonattainment county for PM<sub>2.5</sub>. U.S. EPA regulations require the establishment of baseline air quality in the vicinity of the proposed project. This is normally accomplished using representative air quality monitoring data. Air quality modeling can be utilized to demonstrate that the project will have less than a threshold impact. This threshold impact is identified as the PSD monitoring de minimus level. If the projected impact from the proposed project exceeds this level, ambient data must be collected or existing representative data must be identified which is representative of the area.

Dayton Power and Light has conducted ambient air quality modeling to determine the potential impact due to the proposed installation. Impacts from the proposed installation are below their respective PSD monitoring de minimus levels with the exception of PM<sub>10</sub>. Ohio EPA has identified representative PM<sub>10</sub> data for use by Dayton Power and Light in this project. Therefore, Dayton Power and Light would not be required to perform preconstruction or postconstruction monitoring. The following are the projected impacts:

Pollutant	Modeled Period	Modeled Impact	Monitoring De Minimus
PM <sub>10</sub>	24-hour	14.8 ug/m <sup>3</sup>	10 ug/m <sup>3</sup>

### **Modeling**

Air quality dispersion was conducted to assess the effect of this modification on the national ambient air quality standards (NAAQS) and for the PSD increments. AERMOD (version 07026) was used in the regulatory default, rural mode. Five years of representative meteorological data (Huntington, West Virginia surface data and Dayton upper air data, 2004-2008) were used. Building downwash was incorporated into the AERMOD estimates.

Peak impacts of PM<sub>10</sub> were above their respective PSD significant impact levels. Therefore, additional modeling to address PSD increments and NAAQS were necessary.

PSD Increment

Pollutant	Averaging Period	Modeled Impact	PSD Increment
PM <sub>10</sub>	Annual	1.8 ug/m <sup>3</sup>	17 ug/m <sup>3</sup>
	24-hour	10.6 ug/m <sup>3</sup>	30 ug/m <sup>3</sup>

Ohio EPA’s policy is that no single project should consume more than 50% of the available PSD increment, except in situations where the impact is localized, temporary or as part of a brownfields project. In such cases, the peak constraining concentration can consume up to 83.3% of the PSD increment.

NAAQS

Existing sources at the facility, existing sources above the PSD significant rates within the Dayton Power and Light significant impact area (SIA) and sources greater than 100 tons/yr 50km outside of the SIA are modeled to determine the combined impact of existing and proposed sources. A background value was added to account for minor sources not explicitly included in the modeling.

Pollutant	Averaging Period	Modeled Concentration	NAAQS Concentration	Concentration With Background
PM <sub>10</sub>	24-hour	219.5 ug/m <sup>3</sup>	150 ug/m <sup>3</sup>	248.5 ug/m <sup>3</sup>

All receptors that exceeded the 24 hour PM<sub>10</sub> standard were located on the Carmeuse industrial site in Kentucky. The contribution from Dayton Power and Light to the violation is not significant at the same time and location as the exceedence.

Secondary Impacts

Dayton Power and Light has demonstrated that the predicted pollutant concentrations throughout the study area are below the secondary NAAQS thresholds. The secondary NAAQS are designed to limit the amount of pollutants in the ambient air to levels below those which could have an adverse impact on human welfare, soils and vegetation. The modeling analyses demonstrate that no significant impacts on human welfare, soils or vegetation will occur from the proposed modification.

Conclusions

Based upon the review of the permit to install application and the supporting documentation provided by the applicant, the Ohio EPA staff has determined the installation will comply with all applicable State and federal environmental regulations and that the requirements for nonattainment and attainment area review are satisfied. Therefore, the Ohio EPA staff recommends that a permit to install be issued to the DP&L J.M. Stuart Station for this permitting action.

PUBLIC NOTICE / PUBLIC HEARING  
OHIO ENVIRONMENTAL PROTECTION AGENCY  
ISSUANCE OF DRAFT PERMIT-TO-INSTALL  
DAYTON POWER AND LIGHT

Public notice is hereby given that the Ohio Environmental Protection Agency (EPA) Division of Air Pollution Control has issued, on May 26, 2011, two draft Permits-to-Install (PTI) to Dayton Power and Light (DP&L) for the J.M. Stuart Generating Station located at 745 U.S. Route 52 in Aberdeen, Ohio.

Initial installation PTI P0106503 is for a new operation that will consist of paved roadways, residual waste landfill operations and a 25 ton per hour portable crusher and screening plant. This DP&L Carter Hollow Landfill will be located in Sprigg Township of Adams County, Ohio on a site just north of state route 52 and just east of the DP&L, J.M. Stuart Station. The proposed residual waste landfill will be owned and operated by the DP&L, J.M. Stuart Station and will serve as a destination for gypsum, fly ash and/or bottom ash produced at the DP&L J.M. Stuart and Killen Stations. Installation of the air contaminant source may proceed upon final issuance of the PTI.

A chapter 31 permit modification PTI P0107967 will revise the terms and conditions for existing roadways. After the landfill is constructed, a large portion of the gypsum will be loaded into larger articulating off-road trucks for transport to the landfill. These trucks weigh approximately 50 tons loaded and have a 25 ton capacity. Once loaded with gypsum, the articulating trucks will travel east through the station then north along Elk Run Creek to the crossing at U.S. Route 52. These existing unpaved roadways on DP&L property are constructed of compacted limestone. The additional truck traffic on these existing roadways will result in an increase in emissions.

This facility is subject to the applicable provisions of the Prevention of Significant Deterioration (PSD) regulations as promulgated by U.S. EPA (40 CFR 52.21) and the Ohio EPA permit to install requirements (OAC 3745-31). The U.S. EPA allows sources to consume no more than the maximum available ambient PSD increment(s) for each PSD pollutant. The Ohio EPA allows PSD sources to consume less than one half the available increment, with some exceptions. After reviewing the modeling for the proposed DP&L project, the Ohio EPA has found no violations of the Ohio Acceptable Increment Impact standards. Project impacts for the annual and 24-hour averaging periods were 10.6% and 35.3%, respectively, of the available PSD increments for PM<sub>10</sub>. Therefore, the DP&L project meets both Ohio EPA and U.S. EPA incremental impact requirements.

An information session and public hearing on both draft air permits is scheduled for 6:00PM Wednesday, July 6, 2011 at the Manchester Community Center which is located at 400 Pike Street, Manchester, Ohio 45144. A presiding officer will be present and may limit oral testimony to ensure that all parties are heard. All interested persons are entitled to attend or be represented and give written or oral comments on the draft permit at the hearing.

All comments must be received by the close of the business day on July 8, 2011. Comments received after this date will not be considered to be a part of the official record. All comments, questions, requests for permit applications or other pertinent documentation, and correspondence concerning this action must be directed to Cindy Charles at Portsmouth City Health Dept., Air Pollution Unit, 605 Washington Street 3rd Floor, Portsmouth, OH 45662 or (740)353-5156. The permit can be downloaded from the Web page: [www.epa.ohio.gov/dapc](http://www.epa.ohio.gov/dapc)





**DRAFT**

**Division of Air Pollution Control  
Permit-to-Install  
for  
DP&L, J.M. Stuart Generating Station**

Facility ID:	0701000007
Permit Number:	P0106503
Permit Type:	Initial Installation
Issued:	5/26/2011
Effective:	To be entered upon final issuance





Division of Air Pollution Control
Permit-to-Install
for
DP&L, J.M. Stuart Generating Station

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## Authorization

Facility ID: 0701000007  
Facility Description: Electric Generating Station  
Application Number(s): A0039617, A0040059, A0041661  
Permit Number: P0106503  
Permit Description: Dayton Power & Light is proposing to construct and operate a residual waste landfill for gypsum, flyash, and bottom ash called Carter Hollow Landfill in efforts to support Killen and Stuart Station with excess amounts of gypsum that can not be used by the wallboard industry. Annual landfill input will be limited to 2,000,000 tons per year.  
Permit Type: Initial Installation  
Permit Fee: \$2,250.00 *DO NOT send payment at this time, subject to change before final issuance*  
Issue Date: 5/26/2011  
Effective Date: To be entered upon final issuance

This document constitutes issuance to:

DP&L, J.M. Stuart Generating Station  
U.S. Route 52  
Aberdeen, OH 45101

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

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

Portsmouth City Health Dept., Air Pollution Unit  
605 Washington Street  
3rd Floor  
Portsmouth, OH 45662  
(740)353-5156

The above named entity is hereby granted a Permit-to-Install for the emissions unit(s) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the emissions unit(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 and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Scott J. Nally  
Director



## Authorization (continued)

Permit Number: P0106503

Permit Description: Dayton Power & Light is proposing to construct and operate a residual waste landfill for gypsum, flyash, and bottom ash called Carter Hollow Landfill in efforts to support Killen and Stuart Station with excess amounts of gypsum that can not be used by the wallboard industry. Annual landfill input will be limited to 2,000,000 tons per year.

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

<b>Emissions Unit ID:</b>	<b>F006</b>
Company Equipment ID:	Carter Hollow Landfill - Paved Roads
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
<b>Emissions Unit ID:</b>	<b>F007</b>
Company Equipment ID:	Carter Hollow Landfill
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
<b>Emissions Unit ID:</b>	<b>P002</b>
Company Equipment ID:	Carter Hollow Landfill - Crushing & Screening
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable



## **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.2.a), Severability Clause
  - (2) Standard Term and Condition A.3.c) through A. 3.e) General Requirements
  - (3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements
  - (4) Standard Term and Condition A.9., Reporting Requirements
  - (5) Standard Term and Condition A.10., Applicability
  - (6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install
  - (7) Standard Term and Condition A.14., Public Disclosure
  - (8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
  - (9) Standard Term and Condition A.16., Fees
  - (10) Standard Term and Condition A.17., Permit Transfers

**2. Severability Clause**

- a) 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.
- b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they 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 and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

**3. 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 re-issuance, or modification.

- 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, revoked, or revoked and reissued, for cause. 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 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.

#### **4. 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, 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.
- 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, 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.
- c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:
  - (1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Portsmouth City Health Dept., Air Pollution Unit.

- (2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Portsmouth City Health Dept., Air Pollution Unit. The written 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. See A.15. below if no deviations occurred during the quarter.
  - (3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the Portsmouth City Health Dept., Air Pollution Unit every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
  - (4) This permit is for an emissions unit located at a Title V facility. 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 are true, accurate, and complete.
- d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

## 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, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Portsmouth City Health Dept., Air Pollution Unit in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

## 6. Compliance Requirements

- a) The emissions unit(s) identified in this Permit shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.
- b) Any document (including reports) required to be submitted and required by a federally applicable requirement in this 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.



- c) 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 ORC section 3704.08.
  - (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.
- d) The permittee shall submit progress reports to the Portsmouth City Health Dept., Air Pollution Unit 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.

## **7. Best Available Technology**

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

## **8. 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.

## **9. Reporting Requirements**

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Portsmouth City Health Dept., Air Pollution Unit.
- 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 state-only required 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 Portsmouth City Health Dept., Air Pollution Unit. 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.)

## 10. Applicability

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

## 11. Construction of New Sources(s) and Authorization to Install

- a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. 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 this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit 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.
- b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. 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.
- c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31) by submitting a certification from the authorized 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 authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as "permanently shut down" in Ohio EPA's "Air Services" along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).



- d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

- e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

## 12. Permit-To-Operate Application

The permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77. The permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

## 13. Construction Compliance Certification

The applicant shall identify the following dates in the online facility profile for each new emissions unit identified in this permit.

- a) Completion of initial installation date shall be entered upon completion of construction and prior to start-up.
- b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

## 14. 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.



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

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 quarterly (i.e., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

**16. 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 any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

**17. Permit Transfers**

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the "Owner/Contact Change" functionality in Air Services once the transfer is legally completed. The change must be submitted through Air Services within thirty days of the ownership transfer date.

**18. Risk Management Plans**

If the permittee is required to 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"), the permittee shall comply with the requirement to register such a plan.

**19. 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.

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

**Effective Date:** To be entered upon final issuance

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.

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



1. F006, Carter Hollow Landfill - Paved Roads

Operations, Property and/or Equipment Description:

Carter Hollow Landfill -paved roads

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 operation(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 are identified below. 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.	ORC 3704.03(T)	The requirements of this rule also include compliance with the requirements of OAC rules 3745-31-10 through 20.  See b)(2)b.
b.	OAC rules 3745-31-10 thru 20	Fugitive particulate emissions (PE) shall not exceed 90.63 tons per year.  Fugitive particulate matter emissions less than or equal to 10 microns in diameter (PM <sub>10</sub> ) shall not exceed 17.68 tons per year.  There shall be no visible PE from paved roadways and parking areas except for a period of time not to exceed 1 minute during any 60-minute observation period.  The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust.  See b)(2)a through b)(2)f.

## (2) Additional Terms and Conditions

- a. Based on the "Prevention of Significant Deterioration" (PSD) analysis conducted to ensure the application of "Best Available Control Technology" (BACT), it has been determined that the following control measures constitute BACT for PM/PM10 emissions from this emissions unit.
  - i. Use of reduced speed limits, sweeping, (flushing) watering, good housekeeping, and the emission limitations listed under OAC rules 3745-31-10 through 20 above constitutes BACT for this emissions unit.

The emission limitations based on the BACT requirements are listed under OAC rules 3745-31-10 through 3745-31-20 in b)(1)b above. The controls and practices that constitute BACT also meet the BAT requirements of ORC 3704.03(T).

- b. Compliance with ORC 3704.03(T) shall be demonstrated by the emission limitations and compliance with applicable fuel restrictions, BACT requirements, record keeping, reporting, and emissions testing required by this permit that are associated with the above ORC 3704.03(T) limitations and requirements.

The above-specified limitations under ORC 3704.03(T) represent best available technology (BAT) requirements that were triggered as a result of the New Source Review (NSR) major modification in this permit action for the Carter Hollow Landfill project which increased potential emissions of PE and PM10.

- c. The permittee shall employ best available control measures on all paved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's application, the permittee has committed to treat the paved roadways and parking areas by using reduced speed limits, watering (flushing) and sweeping, at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- d. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for paved roadways and parking areas that are 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.
- 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.

- f. 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.
- c) Operational Restrictions
  - (1) None.
- d) Monitoring and/or Recordkeeping Requirements
  - (1) Except as otherwise provided in this section, the permittee shall perform inspections of each of the roadway segments and parking areas in accordance with the following frequencies:

<u>paved roadways and parking areas</u>	<u>minimum inspection frequency</u>
all roads and parking areas	daily during periods of active use
  - (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 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
    - 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.
  - (4) The information required in d)(3)d shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.
- e) 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 Standard Terms and Conditions of this permit.
- (3) Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.
- 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. Emission Limitation:  
Fugitive PE shall not exceed 90.63 tons per year.  
Applicable Compliance Method:  
Compliance shall be demonstrated by multiplying the annual vehicle miles traveled (VMT) per year for the average vehicle fleet weight, in tons, times the calculated PM emission factor 6.62 lbs/VMT, times 0.10, assuming a 90% control efficiency for use of reduced speed limits, sweeping, (flushing) watering, and good housekeeping, then dividing by 2,000 lbs/ton. The particulate emission factors were calculated in accordance with AP-42 Section 13.2.1, Equation (1), dated 11/06. The control efficiency was obtained from RACM, Table 2.1.1-3, dated 08/83.
  - b. Emission Limitation:  
Fugitive PM<sub>10</sub> emissions shall not exceed 17.68 tons per year.  
Applicable Compliance Method:  
Compliance shall be demonstrated by multiplying the annual vehicle miles traveled (VMT) per year for the average vehicle fleet weight in tons, times the calculated PM10 emission factor 1.29 lb/VMT, times 0.10, assuming a 90% control efficiency, for use of reduced speed limits, sweeping, (flushing) watering, and good housekeeping and then dividing by 2,000 pounds/ton. The particulate emission factors were calculated in accordance with AP-42 Section 13.2.1, Equation (1), dated 11/06. The control efficiency was obtained from RACM, Table 2.1.1-3, dated 08/83.

c. Emission Limitation:

No visible PE from paved roadways and parking areas except for a period of time not to exceed one minute during any 60-minute observation period.

Applicable Compliance Method:

If required, compliance with the visible PE limitation listed 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").

g) Miscellaneous Requirements

(1) None.



2. F007, Carter Hollow Landfill

Operations, Property and/or Equipment Description:

Gypsum, fly ash, bottom ash landfill operations including truck unloading, surface grading, and wind erosion.

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 operation(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 are identified below. Emissions from each unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Table with 2 columns: Applicable Rules/Requirements and Applicable Emissions Limitations/Control Measures. Row a: ORC 3704.03(T) with requirements for OAC rules 3745-31-10 through 20. Row b: OAC rules 3745-31-10 thru 20 with detailed fugitive emissions and visible PE control measures.

## (2) Additional Terms and Conditions

- a. Based on the "Prevention of Significant Deterioration" (PSD) analysis conducted to ensure the application of "Best Available Control Technology" (BACT), it has been determined that the following control measures constitute BACT for PM/PM10 emissions from this emissions unit.
  - i. use of speed reductions, watering, natural wind breaks, inherent high moisture content and the emission limitations listed under OAC rules 3745-31-10 through 20 above constitutes BACT for this emissions unit; and
  - ii. a 2,000,000 tons per rolling, 12-month period of gypsum, flyash, and bottom ash throughput limitation.

The emission limitations based on the BACT requirements are listed under OAC rules 3745-31-10 through 3745-31-20 in b)(1)b above. The controls and practices that constitute BACT also meet the BAT requirements of ORC 3704.03(T).

- b. Compliance with ORC 3704.03(T) shall be demonstrated by the emission limitations and compliance with the applicable annual throughput restriction, BACT requirements, record keeping, reporting, and emissions testing required by this permit that are associated with the above ORC 3704.03(T) limitations and requirements.

The above-specified limitations under ORC 3704.03(T) represent best available technology (BAT) requirements that were triggered as a result of the New Source Review (NSR) major modification in this permit action for the Carter Hollow Landfill project which increased potential emissions of PE and PM<sub>10</sub>.

- c. The permittee shall employ reasonably available control measures on all load-in and load-out operations associated with the landfill for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to handling material with sufficient moisture content to prevent visible fugitive dust emissions to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- d. The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of the landfill if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
- e. The permittee shall employ reasonably available control measures for wind erosion from the surfaces of the landfill for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the

permittee's permit application, the permittee has committed to compacting the material, natural wind breaks, inherent high moisture content and using cover/vegetation to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- f. The above-mentioned control measure(s) shall be employed for wind erosion from the landfill if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary if the landfill 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.

c) **Operational Restrictions**

- (1) The maximum throughput for this emissions unit shall not exceed 2,000,000 tons of gypsum and/or bottom ash and fly ash, based upon a rolling, 12-month summation of the throughput rates.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the gypsum and/or bottom ash, fly ash throughput specified in the following table:

<u>Month(s)</u>	<u>Maximum Allowable Throughput, Tons</u>
1	200,000
1-2	400,000
1-3	600,000
1-4	800,000
1-5	1,000,000
1-6	1,200,000
1-7	1,400,000
1-8	1,600,000
1-9	1,700,000
1-10	1,800,000
1-11	1,900,000
1-12	2,000,000

After the first 12 calendar months of operation following the issuance of this permit, compliance with the throughput limitation shall be based upon a rolling, 12-month summation of the gypsum and/or bottom ash, fly ash throughput.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall maintain monthly records of the following information for this emissions unit in order to monitor compliance with the applicable material throughput restriction:
  - a. the material throughput for each month; and
  - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the material throughput.

Also during the first 12 calendar months of operation following the issuance of this permit, the permittee shall record the cumulative material throughput for each calendar month.

- (2) Except as otherwise provided in this section, the permittee shall perform weekly inspections of each load-in operation, each load-out operation, and of the wind erosion at the landfill.
- (3) No inspection shall be necessary for wind erosion from the surface of the landfill when the landfill is covered with snow and/or ice and for any landfill 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.
- (4) The purpose of the inspections is to determine the need for implementing the control measures specified in this permit for load-in and load-out at the landfill, and wind erosion from the surface of the landfill. The inspections shall be performed during representative, normal landfill operating conditions.
- (5) 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
  - d. on a calendar quarter basis, the total number of days the control measures were implemented and, for wind erosion from the landfill surface, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).

The information required in d)(5)d shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (iii) the landfill surface (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) The permittee shall submit deviation (excursion) reports that identify all exceedances of the rolling, 12-month material throughput restriction, and for the first 12 calendar months of operation following issuance of this permit, all exceedances of the maximum allowable cumulative throughput levels.
- (2) 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.
- (3) The deviation reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.
- (4) Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

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. Emission Limitation:

Fugitive PE shall not exceed 10.62 tons per rolling, 12-month period.

Applicable Compliance Method:

Compliance with the rolling, 12-month emission limitation specified above shall be determined by the record keeping requirements specified in d)(1) above and the equations contained in AP-42 Chapter 13.2.4 (Aggregate Handling and Storage Piles, dated 11/2006), AP-42 Chapter 11.9-1 (Western Surface Coal Mining, dated 10/1998), AP-42 Chapter 13.2.5 (Industrial Wind Erosion, dated January 1995) and the parameters as listed in Permit to Install application P0106503, which was submitted to the Portsmouth Local Air Agency on June 16, 2010.

b. Emission Limitation:

Fugitive PM<sub>10</sub> shall not exceed 4.72 tons per rolling, 12-month period.

Emission Limitation:

Compliance with the rolling, 12-month emission limitation specified above shall be determined by the record keeping requirements specified in d)(1) above and the equations contained in AP-42 Chapter 13.2.4 (Aggregate Handling and Storage Piles, dated 11/2006), AP-42 Chapter 11.9-1 (Western Surface Coal Mining, dated 10/1998), AP-42 Chapter 13.2.5 (Industrial Wind Erosion, dated January 1995) and the parameters as listed in Permit to Install application P0106503, which was submitted to the Portsmouth Local Air Agency on June 16, 2010.

c. Emission Limitation:

There shall be no visible PE (including load-in, load-out and surface grading) except for 3 minutes during any 60-minute period.

Applicable Compliance Method:

If required, compliance with the visible emissions limitation for fugitive dust from the material storage piles areas identified in this permit shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 22 and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

## g) Miscellaneous Requirements

(1) None.



3. P002, Carter Hollow Landfill - Crushing & Screening

Operations, Property and/or Equipment Description:

25 TPH Portable crusher-(4043T Impact Track Crusher) powered with a 300 hp-Caterpillar C-9 Tier III Diesel Engine or equivalent, and (Spyder 516T screening plant) powered with a 110 hp-Cummins QSB 4.5 Tier III Diesel Engine or equivalent.

- 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 operation(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 are identified below. 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.	ORC 3704.03(T)	<p>Nitrogen oxides (NO<sub>x</sub>) emissions shall not exceed 2.48 pounds per hour and 10.87 tons per year (combined stack emissions - crusher and screener diesel engines).</p> <p>The requirements of this rule also include compliance with the requirements of OAC rules 3745-31-10 through 20.</p> <p>See b)(2)b and b)(2)c.</p>
b.	OAC rules 3745-31-10 through 20	<p>Particulate emissions (PE) shall not exceed 0.11 pound per hour and 0.50 ton per year (combined stack emissions - crusher and screener diesel engines).</p> <p>PE emissions shall not exceed 0.17 pound per hour and 0.74 ton per year (fugitive crushing/screening).</p> <p>Visible PE shall not exceed 20% opacity, as a 6-minute average (stack emissions from crusher exhaust and screener exhaust).</p> <p>Visible PE of fugitive dust shall not exceed 10% opacity, as a 6-minute average (fugitive transfer/screening).</p>



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		Visible PE of fugitive dust shall not exceed 15% opacity, as a 6-minute average (crusher).  See b)(2)a. through b)(2)h.
c.	OAC rule 3745-17-11(B)(5)(a) (generator stack emissions-diesels)	The emission limitation required by this applicable rule is less stringent than the emission limitation established pursuant to OAC rules 3745-10 through 20.
d.	40 CFR 60 Subpart OOO	Exempt per 40 CFR 60.670(c)(2) (capacity is 150 tons per hour or less).
e.	OAC rule 3745-18-06(G)	This emissions unit is exempt from the requirements of OAC rule 3745-18-06 pursuant to OAC rule 3745-18-06(B).
f.	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 rules 3745-10 through 20.
g.	OAC paragraph 3745-31-05(A)(3), as effective 11/30/01	Carbon Monoxide (CO) emissions shall not exceed 0.80 pound per hour and 3.50 tons per year (combined stack emissions - crusher and screener diesel engines).  Volatile Organic Compounds (VOC) emissions shall not exceed 1.82 pounds per hour and 7.98 tons per year (combined stack emissions - crusher and screener diesel engines).  Sulfur dioxide (SO <sub>2</sub> ) emissions shall not exceed 0.84 pound per hour and 3.68 tons per year (combined stack emissions - crusher and screener diesel engines).  See b)(2)d.
h.	OAC paragraph 3745-31-05(A)(3), as effective 12/01/06	See b)(2)c.

(2) Additional Terms and Conditions

- a. Based on the "Prevention of Significant Deterioration" (PSD) analysis conducted to ensure the application of "Best Available Control Technology" (BACT), it has been determined that the following control measures constitute BACT for PE emissions from this emission unit:

- i. the use of water spray nozzles/dust suppression system, minimizing the drop height into the feeder, and the emission limitations listed under OAC rules 3745-31-10 through 20 above constitutes BACT for this emissions unit; and
- ii. the diesel crusher engines shall be Tier III CARB certified engines.

The emission limitations based on the BACT requirements are listed under OAC rules 3745-31-10 through 3745-31-20 in b)(1)b above. The controls and practices that constitute BACT also meet the BAT requirements of ORC 3704.03(T).

- b. Compliance with ORC 3704.03(T) shall be demonstrated by the emission limitations and compliance with applicable BACT requirements, record keeping, reporting, and emissions testing required by this permit that are associated with the above ORC 3704.03(T) limitations and requirements.

The above-specified limitations under ORC 3704.03(T) represent best available technology (BAT) requirements that were triggered as a result of the New Source Review (NSR) major modification in this permit action for the Carter Hollow Landfill project which increased potential emissions of PE and PM<sub>10</sub>.

- c. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the carbon monoxide (CO), and volatile organic compounds (VOC), and sulfur dioxide (SO<sub>2</sub>) emissions from the diesel generators since the uncontrolled potentials to emit from CO, VOC and SO<sub>2</sub> is each less than 10 tons per year.

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

- e. The permittee shall employ reasonably available control measures to minimize or eliminate visible emissions of fugitive dust from emissions unit P002. If the inherent moisture in the aggregate and the continuous wet suppression system at the inlet and the outlet of the crusher is not sufficient to comply with the opacity restrictions of this permit, the permittee shall install additional equipment to apply

water, or any other suitable dust suppressant, at appropriate locations in the production line.

- f. The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:

Load in;  
Crushing;  
Screening;  
Conveying; and  
Transfer points.

- g. The permittee shall employ reasonably available control measures for the above-identified material handling operation(s) for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to perform the following control measure(s) to ensure compliance:

<u>material handling operation(s)</u>	<u>control measure(s)</u>
loading into feed hopper	maintain a low drop height and a high moisture content for the material being processed
all conveyor and transfer points	maintain a high moisture content for the material being processed and use of water spray nozzles/dust suppression system

Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.

- h. For each material handling operation that is not adequately enclosed, 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 measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.

c) Operational Restrictions

- (1) The permittee shall only use diesel fuel (or number 2 fuel oil) with a maximum sulfur content of 0.5%, by weight, for combustion in this emissions unit.
- (2) The crusher water spray shall be in operation at all times when this emissions unit is operating to minimize or eliminate visible emissions of fugitive dust.

d) Monitoring and/or Recordkeeping Requirements

- (1) For each day during which the permittee burns a fuel other than diesel fuel (or number 2 fuel oil) as specified in c)(1), the permittee shall maintain a record of the type, quantity and documentation of the sulfur content of fuel burned in this emissions unit.
- (2) The permittee shall maintain records documenting any time period when the emissions unit was in operation and the wet suppression system at the inlet and the outlet of the crusher was not employed.
- (3) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible fugitive particulate emissions from the egress points (i.e., crusher, screens, and conveyor's transfer points) serving this emissions unit. The presence or absence of any visible fugitive emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
  - a. the location and 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 eliminate the visible emissions
- (4) Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:
 

<u>material handling operation(s)</u>	<u>minimum inspection frequency</u>
all operations	once during each day of operation
- (5) The above-mentioned inspections shall be performed during representative, normal operating conditions.
- (6) 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
  - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in d)(6)d shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) The permittee shall submit deviation reports that identify any of the following occurrences:
  - a. each day during which an inspection of the material processing and handling operations was not performed by the required frequency;
  - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented; and
  - c. any exceedances of the sulfur content restriction identified in c)(1) above.
- (2) The deviation reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.
- (3) Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

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. Emission Limitations:

NO<sub>x</sub> emissions shall not exceed 2.48 pounds per hour and 10.87 tons per year (combined stack emissions - crusher and screener diesel engines).

Applicable Compliance Method:

The lb/hr emission limitations were determined by multiplying the following emission factor (0.006 lb/hp-hr) from the CARB certification by the maximum capacity of the crusher engine (300 hp-hr) and adding that to the emission factor (0.0062 lb/hp-hr) from the CARB certification by the maximum capacity of the screener engine (110 hp-hr).

If required, the permittee shall demonstrate compliance with the hourly allowable NO<sub>x</sub> emission limitation based on an emission test performed in accordance with the procedures specified in 40 CFR Part 60, Appendix A, Methods 1 through 4 and Method 7.

The tpy emission limitation was developed by multiplying the short-term allowable NO<sub>x</sub> emission limitation (2.48 lbs/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.

b. Emission Limitation:

Visible PE shall not exceed 20% opacity, as a 6-minute average (stack emissions from crusher exhaust and screener exhaust).

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with the VE limitation above through visible emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9.

c. Emission Limitation:

Visible PE of fugitive dust shall not exceed 10% opacity, as a 6-minute average (fugitive transfer/screening).

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with the VE limitation above through visible emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9.

d. Emission Limitation:

Visible PE of fugitive dust shall not exceed 15% opacity, as a 6-minute average (crusher).

Applicable Compliance Method:

If required, the permittee shall demonstrate compliance with the VE limitation above through visible emission observations performed in accordance with the methods and procedures specified in 40 CFR Part 60, Appendix A, Method 9.

e. Emission Limitation:

PE shall not exceed 0.11 pound per hour and 0.50 ton per year (combined stack emissions - crusher and screener diesel engines).

Applicable Compliance Method:

The lb/hr emission limitation was determined by multiplying the following calculated emission factor (0.0003 lb/hp-hr) from the CARB certification by the maximum capacity of the crusher engine (300 hp-hr) and adding that to the emission factor (0.00021 lb/hp-hr) from the CARB certification by the maximum capacity of the screener engine (110 hp-hr).

The tpy emission limitation was developed by multiplying the short-term allowable particulate emission limitation (0.11 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.

f. Emission Limitation:

PE emissions shall not exceed 0.17 pound per hour and 0.74 ton per year (fugitive crushing/screening).

Applicable Compliance Method:

The lb/hr emission limitation was determined by multiplying the following calculated emission factor (0.0224 lb/ton) derived from AP-42 section 13.2.4. by the maximum throughput of the crusher \*(25 tons per hour), then multiplying by 0.30 assuming 70% control efficiency from water spray (RACM Table 2.18-2).

The tpy emission limitation was developed by multiplying the short-term allowable particulate emission limitation (0.17 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.

\* Because overburden being processed is only for cover use, assumed it to equal 10% of the total gypsum added to the landfill.

g. Emission Limitation:

CO emissions shall not exceed 0.80 pound per hour and 3.50 tons per year (combined stack emissions - crusher and screener diesel engines).

Applicable Compliance Method:

The lb/hr emission limitation was determined by multiplying the following emission factor of (0.0021 lb/hp-hr) from the CARB certification by the maximum crusher engine capacity of 300 hp-hr = 0.63 lb/hr and adding that total to the following emission factor of (0.0015 lb/hp-hr) from the CARB certification by the maximum screener engine capacity of 110 hp-hr = 0.17 lb/hr.

The tpy emission limitation was developed by multiplying the short-term allowable CO emission limitation (0.80 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.

h. Emission Limitation:

VOC emissions shall not exceed 1.82 pounds per hour and 7.98 tons per year (combined stack emissions - crusher and screener diesel engines).

Applicable Compliance Method:

The lb/hr emission limitations were determined by multiplying the following emission factor of (0.006 lbs/hp-hr) from the CARB certification by the maximum crusher engine capacity of 300 hp-hr = 1.80 lb/hr and adding that total to the following emission factor of (0.00015 lbs/hp-hr) from the CARB certification by the maximum screener engine capacity of 110 hp-hr = 0.02 lb/hr.

The tpy emission limitation was developed by multiplying the short-term allowable VOC emission limitation (1.82 lbs/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.

i. Emission Limitation:

SO<sub>2</sub> emissions shall not exceed 0.84 pound per hour and 3.68 tons per year (combined stack emissions - crusher and screener diesel engines).

Applicable Compliance Method:

The lb/hr emission limitation was determined by multiplying the following emission factor of (0.00205 lb/hp-hr) obtained from AP-42 section 3.3, dated 10/96, by the maximum crusher engine capacity of 300 hp-hr = 0.62 lb/hr and adding that total to the following emission factor of 0.00205 lb/hp-hr obtained from AP-42 section 3.3, dated 10/96., by the maximum screener engine capacity of 110 hp-hr = 0.23 lb/hr.

The tpy emission limitation was developed by multiplying the short-term allowable SO<sub>2</sub> emission limitation (0.84 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.

g) Miscellaneous Requirements

- (1) The permittee may relocate the portable source within the State of Ohio without first obtaining a permit-to-install and operate (PTIO) or a permit-to-install (PTI), providing the appropriate exemption requirements have been met and following the approval of the Director (the appropriate Ohio EPA District Office or local air agency). The Director may issue a ANotice of Site Approval if the following criteria are met, pursuant to the permanent exemption for portable sources in OAC rule 3745-31-03(A)(1):
  - a. the portable source is operated in compliance with any applicable best available technology (BAT) determination issued in a permit and all applicable state and/or federal rules and laws;
  - b. the portable source is operating pursuant to a currently effective PTIO or PTI and/or permit to operate (PTO) and continues to comply with the requirements of the permit;

- c. the permittee has provided a minimum of 30 days notice of the intent to relocate the portable source to the permitting authority (the Ohio EPA District Office or local air agency that has issued the effective current permit) prior to the scheduled relocation;
- d. the Ohio EPA district office or local air agency having jurisdiction over the new site has determined that the permitted emissions would not cause a nuisance and would be acceptable under OAC rule 3745-15-07; and
- e. the Director has issued a Notice of Site Approval, stating that the proposed site is acceptable and the relocation of the portable source, along with any supporting permitted emissions (e.g. roadways or storage piles), would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site.

The portable source can be relocated upon receipt of the Director's – 'A Notice of Site Approval' for the site.

- (2) If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01, the permittee shall submit an application and obtain a PTIO or PTI (as applicable) for the new location prior to moving the portable source.

When a portable source is located at a stationary source or at a site with multiple portable sources, the potential emissions of the portable source may be required to be added to that of the facility, in order to determine the potential to emit for Title V and PSD applicability. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745-77-01, must also meet all applicable requirements under the Title V program contained in OAC rule 3745-77, which may include the requirement to apply for a Title V permit.

The "Notice of Intent to Relocate" shall be submitted to the Ohio EPA District Office or local air agency responsible for issuing the permits for the portable source. Upon receipt of the notice, the permitting office shall notify the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.