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

5/26/2011

Certified Mail

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

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

RE: DRAFT AIR POLLUTION PERMIT-TO-INSTALL
Facility ID: 0701000007
Permit Number: P0107967
Permit Type: OAC Chapter 3745-31 Modification
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 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

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 MODIFY
ONE EMISSIONS UNIT(F001) FOR EXISTING PAVED AND UPAVED ROADWAYS
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. P0107967**

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 stationarysource is one having at least 100 tons per year potential emissions. A major modification is one resulting in a contemporaneous netincrease 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 ($PM_{2.5}$), Ohio will have to use the requirements established in 40 CFR Part 51, Appendix S until the OAC regulations are modified to include $PM_{2.5}$ 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 J.M. Stuart Generating Station is located at 745 U.S. Route 52, Aberdeen, Ohio in Sprigg Township of Adams County on a site just south of state route 52.

Facility Description

The J.M. Stuart Generating Station includes 4 Babcock and Wilcox coal-fired boilers (B001-4). 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. In the past, the gypsum was moved off site using barges and trucks and the fugitive particulate emissions associated with the handling, storage and load-out operations were covered under existing emissions units F004 and F005.

With the downturn in the economy, the market for gypsum declined and DP&L found it economically reasonable to install a residual waste landfill to dispose of the excess gypsum. After this 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 from existing emissions unit F001.

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_{10} 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 this chapter 31 modification did not trigger LAER requirements.

Adams County is classified as having ambient air quality better than the National Ambient Air Quality Standards (NAAQS) and is designated as attainment for the criteria pollutants: PM_{10}, SO_2, NO_x, CO, lead, and ozone (8-hour standard). Adams County is designated as attainment for the 24-hour $PM_{2.5}$ standard; however, Sprigg Township, Adams County, is part of the Huntington-Ashland WV-KY-OH nonattainment area for the annual $PM_{2.5}$ NAAQS.

New Source Review (NSR)/PSD Applicability

DP&L Stuart is defined as a major stationary source for purposes of State and federal major 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 attainment pollutants at an electric utility generating station are greater than 100 tons per year (tpy). DP&L Stuart is also a major stationary source for $PM_{2.5}$ emissions under State and federal Emission Offset, or Nonattainment New Source Review, regulations - potential plant wide emissions of direct $PM_{2.5}$ are greater than 100 tpy. Potential SO_2 and NO_x emissions - $PM_{2.5}$ precursor pollutants, are also greater than 100 tpy.

With the installation of the Carter Hollow Landfill, the chapter 31 modification of paved and unpaved roadways will trigger a BACT analysis for particulate matter (PM) and particulate matter less than or equal to a diameter of 10 microns (PM_{10}) 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_{10}.

TABLE 1

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

Pollutant	Net Emission Increase Rate (in tpy)	Significant Threshold (in tpy)
PM	132.25	25
PM_{10}	35.70	15

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 BACTunless 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 this source was determined to be the following:

for paved roads (F001) - the use of reduced speed limits, sweeping, (flushing) watering and good housekeeping with an estimated 90% control efficiency;

for unpaved roads (F001) - the use of chemical stabilization with an estimated 90% control efficiency.

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

New Source Performance Standards (NSPS) Applicability

Thechapter 31 modification of existing roadwaysdoesnotcauseDP&Landemissions unit F001 tobecomesubjectto anycurrentlyeffectiveregulationpromulgatedunder40CFRPart60.

National Emissions Standards for Hazardous Air Pollutants (NESHAP) Applicability

Thechapter 31 modification of existing roadwaysdoesnotcauseDP&Landemissions unit F001 tobecomesubjectto anycurrentlyeffectiveregulationpromulgatedunder40CFRPart63.

ElectricUtilityMACTStandard

Therearenoemissionstandardspromulgatedunder 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 chapter 31 modification of existing roadways. 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 chapter 31 modification of existing roadways 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 $PM_{2.5}$. Adams County is a partial nonattainment county for $PM_{2.5}$. 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_{10}. Ohio EPA has identified representative PM_{10} 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_{10}	24-hour	14.8 ug/m3	10 ug/m3

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_{10} 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_{10}	Annual	1.8 ug/m3	17 ug/m3

	24-hour	10.6 ug/m3	30 ug/m3

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_{10}	24-hour	219.5 ug/m3	150 ug/m3	248.5 ug/m3

All receptors that exceeded the 24 hour PM_{10} 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 chapter 31 modification permit to install application and the supporting documentation provided by the applicant, the Ohio EPA staff has determined the chapter 31 modification of existing roadways 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 chapter 31 modification of the permit to install for existing roadways be issued to the DP&L J.M. Stuart Station for this permitting action.

ADAMS COUNTY

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.ThisDP&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_{10}. 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

Ohio Environmental Protection Agency

DRAFT

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

Facility ID:	0701000007
Permit Number:	P0107967
Permit Type:	OAC Chapter 3745-31 Modification
Issued:	5/26/2011
Effective:	To be entered upon final issuance

Ohio Environmental Protection Agency

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): A0041663
Permit Number: P0107967
Permit Description: Paved and unpaved roadways and parking areas. Chapter 31 modification due to increased PE and PM10 emissions from the additional truck traffic on the existing Stuart Station roadways to support Carter Hollow Landfill operations.
Permit Type: OAC Chapter 3745-31 Modification
Permit Fee: $200.00*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: P0107967
Permit Description: Paved and unpaved roadways and parking areas. Chapter 31 modification due to increased PE and PM10 emissions from the additional truck traffic on the existing Stuart Station roadways to support Carter Hollow Landfill operations.

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

Emissions Unit ID:	**F001**
Company Equipment ID:	Plant Grounds, Roadways and Parking Areas
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 emissionlimitations, operationalrestrictions, andcontroldeviceoperatingparameterlimitations, 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, andreportingrequirements 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 enteredupon 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

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. F001, Plant Grounds, Roadways and Parking Areas

Operations, Property and/or Equipment Description:

Paved and unpaved roadways and parking areas.Chapter 31 modification due to increased PE and PM_{10} emissions from the additional truck traffic on the existing Stuart Station roadways to support Carter Hollow Landfill operations.

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 through 20	Fugitive particulate emissions (PE) shall not exceed 208.36 tons per year. Fugitive particulate matter with a diameter equal to or less than 10 microns in diameter (PM_{10}) shall not exceed 54.29 tons per year. There shall be no visible PE from any paved roadway or parking area except for a period of time not to exceed 1 minute during any 60-minute observation period. There shall be no visible PE from any unpaved roadway or parking area except for a period of time not to exceed 3 minutes during any 60-minute observation period.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		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 (paved roadways and parking areas)

ii. Use of chemical stabilization and the emission limitation listed under OAC rules 3745-31-10 through 20 above constitutes BACT for this emissions unit (unpaved roadways and parking areas).

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 PM_{10}.

c. The permittee shall employ best available control measures on all paved/unpaved 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), sweeping, at sufficient treatment frequencies to ensure compliance. The permittee has committed to treat the unpaved roadways and parking areas using chemical stabilization 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/unpaved 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:

paved roadways and parking areas	minimum inspection frequency
all roads and parking areas	daily

unpaved roadways and parking areas	minimum inspection frequency
all roads and parking areas	daily

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

a. Emission Limitation:

Fugitive PE shall not exceed 208.36 tons per year.

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of i and ii below.

i. paved roads and parking areas

Compliance for the paved roadway emissions shall be demonstrated by the sum of the vehicle types. The total sum is calculated by multiplying the annual vehicle miles traveled (VMT) per year for each vehicle type in the fleet, in tons, times the calculated uncontrolled PM lbs/VMT emission factor, times 0.10, assuming 90% control efficiency for use of reduced speed limits, sweeping, (flushing) watering, and good housekeeping, then dividing by 2,000 pounds/ton. The particulate emission factors were calculated using 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.

ii. unpaved roads and parking areas

Compliance for the unpaved roadway emissions shall be demonstrated by the sum of the vehicle types. The total sum is calculated by multiplying the annual vehicle miles traveled (VMT) per year for each vehicle type in the fleet, in tons, times the calculated uncontrolled PM lbs/VMT emission factor, times 0.10, assuming 90% control efficiency for using chemical suppression as needed, then dividing by 2,000 pounds/ton. The particulate emission factors were calculated using AP-42, Section 13.2.2, Equation (1), dated 12/03.

b. Emission Limitation:

Fugitive PM_{10} emissions shall not exceed 54.29 tons per year.

Applicable Compliance Method:

Compliance shall be demonstrated by calculating the sum of i and ii below.

i. paved roads and parking areas

Compliance for the paved roadway emissions shall be demonstrated by the sum of the vehicle types. The total sum is calculated by multiplying the annual vehicle miles traveled (VMT) per year for each vehicle type in the fleet, in tons, times the calculated uncontrolled PM_{10}lbs/VMT emission factor, times 0.10, assuming a 90% control efficiency for use of reduced speed limits, sweeping, (flushing) watering, and good house keeping, then dividing by 2,000 pounds/ton. The particulate emission factors were calculated using AP-42, Section 13.2.1, dated 11/06. The control efficiency was obtained from RACM, Table 2.1.1-3, dated 08/83.

ii. unpaved roads and parking areas

Compliance for the unpaved roadway emissions shall be demonstrated by the sum of the vehicle types. The total sum is calculated by multiplying the annual vehicle miles traveled (VMT) per year for each vehicle type in the fleet, in tons, times the uncontrolled PM_{10}lbs/VMT emission factor, times 0.10, assuming 90% control for chemical

suppression as needed, then dividing by 2,000 pounds/ton. The particulate emission factors were calculated using AP-42, Section 13.2.2, Equation (1), dated 12/03. The control efficiency was obtained from RACM, Table 2.1.1-3, dated 08/83.

c. Emission Limitation:

There shall be no visible PE from any paved roadway or parking area except for a period of time not to exceed 1 minute during any 60-minute observation period.

Applicable Compliance Method:

If required, compliance with the visible PE limitation listed above shall be demonstrated 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").

d. Emission Limitation:

There shall be no visible PE from any unpaved roadway or parking area except for a period of time not to exceed 3 minutes during any 60-minute observation period.

Applicable Compliance Method:

If required, compliance with the visible PE limitation listed above shall be demonstrated 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.