



Environmental Protection Agency

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

7/8/2011

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
No	MAJOR GHG
No	SYNTHETIC MINOR TO AVOID MAJOR GHG

Joseph Fraley
The Ohio Valley Coal Company - Powhatan No. 6 Mine
56854 Pleasant Ridge Road
Alledonia, OH 43902

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL
Facility ID: 0607000089
Permit Number: P0107896
Permit Type: Administrative Modification
County: Belmont

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it carefully. Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

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

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

The Ohio EPA is encouraging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. If you have any questions regarding this permit, please contact the Ohio EPA DAPC, Southeast District Office. 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.

Sincerely,

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

Cc: U.S. EPA
Ohio EPA-SEDO; Pennsylvania; West Virginia



FINAL

**Division of Air Pollution Control
Permit-to-Install**

for

The Ohio Valley Coal Company - Powhatan No. 6 Mine

Facility ID:	0607000089
Permit Number:	P0107896
Permit Type:	Administrative Modification
Issued:	7/8/2011
Effective:	7/8/2011



Division of Air Pollution Control
Permit-to-Install
for
The Ohio Valley Coal Company - Powhatan No. 6 Mine

Table of Contents

Authorization 1
A. Standard Terms and Conditions 3
1. Federally Enforceable Standard Terms and Conditions 4
2. Severability Clause 4
3. General Requirements 4
4. Monitoring and Related Record Keeping and Reporting Requirements 5
5. Scheduled Maintenance/Malfunction Reporting 6
6. Compliance Requirements 6
7. Best Available Technology 7
8. Air Pollution Nuisance 7
9. Reporting Requirements 7
10. Applicability 8
11. Construction of New Sources(s) and Authorization to Install 8
12. Permit-To-Operate Application 9
13. Construction Compliance Certification 9
14. Public Disclosure 9
15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 10
16. Fees 10
17. Permit Transfers 10
18. Risk Management Plans 10
19. Title IV Provisions 10
B. Facility-Wide Terms and Conditions 11
C. Emissions Unit Terms and Conditions 13
1. F001, Paved and unpaved roadways and parking areas 14
2. F003, Raw and clean coal and coal refuse material handling 20



Authorization

Facility ID: 0607000089
Facility Description: Coal mining and preparation facility
Application Number(s): A0041609
Permit Number: P0107896
Permit Description: Administrative modification of PTI #s 17-729, 17-845, and 06-08044 to consolidate the covered equipment and impose BAT on the entire modified EUs that should have been imposed when the additional equipment was added in the 1980's and in 2006.
Permit Type: Administrative Modification
Permit Fee: \$0.00
Issue Date: 7/8/2011
Effective Date: 7/8/2011

This document constitutes issuance to:

The Ohio Valley Coal Company - Powhatan No. 6 Mine
56854 Pleasant Ridge Road
Alledonia, OH 43902-9716

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

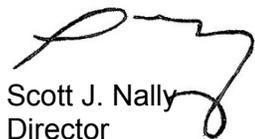
Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Southeast District Office
2195 Front Street
Logan, OH 43138
(740)385-8501

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: P0107896

Permit Description: Administrative modification of PTI #s 17-729, 17-845, and 06-08044 to consolidate the covered equipment and impose BAT on the entire modified EUs that should have been imposed when the additional equipment was added in the 1980's and in 2006.

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

Emissions Unit ID:

Company Equipment ID:
Superseded Permit Number:
General Permit Category and Type:

F001

Roadways and parking areas

Not Applicable

Emissions Unit ID:

Company Equipment ID:
Superseded Permit Number:
General Permit Category and Type:

F003

Coal & coal refuse material handling
06-08044
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 Ohio EPA DAPC, Southeast District Office.

- (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 Ohio EPA DAPC, Southeast District Office. 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 Ohio EPA DAPC, Southeast District Office 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 Ohio EPA DAPC, Southeast District Office 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 Ohio EPA DAPC, Southeast District Office 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 Ohio EPA DAPC, Southeast District Office.
- 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 Ohio EPA DAPC, Southeast District Office. 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

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.
2. Portions of emissions unit F003 contained in this permit are subject to 40 CFR Part 60, Subpart Y. The complete NSPS requirements, including the NSPS General Provisions, may be accessed via the internet from the Electronic Code of Federal Regulation (e-CFR) website <http://ecfr.gpoaccess.gov> or by contacting the appropriate Ohio EPA District office or local air agency.

C. Emissions Unit Terms and Conditions



1. F001, Paved and unpaved roadways and parking areas

Operations, Property and/or Equipment Description:

Unpaved roadways and parking areas in the coal prep plant area (EU F001 installed in 1972) and paved and unpaved roadways and parking areas in the clean coal area (EU F004 added after 1974); administrative modification for EU F001 to include roadways and parking areas covered under EU F004 and to apply BAT to the entire EU that was modified per the definition in OAC Chapter 31 after 1974; supercedes PTI #17-729 issued on 6/26/91 for EU F004; maximum of 46,200 total vehicle miles traveled per year

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.	OAC rule 3745-31-05(A)(3)	Fugitive particulate emissions (PE) shall not exceed 45.94 tons per year. The requirements of this rule also include compliance with the requirements of OAC rules 3745-17-07(B) and 3745-17-08(B).
b.	OAC rule 3745-17-07(B)(4) <i>Paved roadways and parking areas</i>	No visible particulate emissions (PE) except for six minutes during any 60-minute period.
c.	OAC rule 3745-17-07(B)(5) <i>Unpaved roadways and parking areas</i>	No visible PE except for 13 minutes during any 60-minute period.
d.	OAC rule 3745-17-08(B)	Reasonably available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. See b)(2)a. through h. below.

(2) Additional Terms and Conditions

a. The following paved and unpaved parking roadways and parking areas are covered by this permit and subject to the requirements of OAC rules 3745-31-05(A)(3), 3745-17-07(B) and 3745-17-08(B):

all unpaved roadways and parking areas in the preparation plant area
all paved roadways and parking areas in the clean coal area
all unpaved roadways and parking areas in the clean coal area

- b. The permittee shall employ reasonably available control measures on all unpaved roadways and parking areas 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 treat the unpaved roadways and parking areas with water and/or any other suitable dust suppressants at sufficient treatment frequencies and to enforce a maximum speed limit of 15 mph to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- c. The permittee shall employ reasonably 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 permit application, the permittee has committed to use a wheel washer, to vacuum sweep, to flush the paved roadways and parking areas with water and/or any other suitable dust suppressants at sufficient treatment frequencies, and to enforce a maximum speed limit of 15 mph to ensure compliance 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 an unpaved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- e. Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface due to the application of certain types of dust suppressants, may be controlled with the control measure(s) specified above for paved surfaces. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking areas of no visible PE except for a period of time not to exceed six minutes during any sixty-minute observation period.
- f. 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.

- g. Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.
 - h. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-31-05(A)(3) and 3745-17-08.
- 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 unpaved roadway segment and each parking area in accordance with the following frequencies:

<u>Unpaved roadways</u>	<u>Minimum inspection frequency</u>
All clean coal and preparation plant roadways	Daily
<u>Paved roadways</u>	<u>Minimum inspection frequency</u>
All clean coal area roadways	Daily
<u>Unpaved parking areas</u>	<u>Minimum inspection frequency</u>
All preparation plant and clean coal 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.

The information required in d)(3)d. shall be kept separately for (i) the unpaved roadways, (ii) the paved roadways, and (iii) the unpaved parking areas, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) 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.
- (2) The permittee shall submit quarterly deviation (excursion) reports that identify all 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.

The quarterly deviation (excursion) reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

f) Testing Requirements

- (1) Compliance with the emission limitations specified in b)(1) of the terms and conditions of this permit shall be determined in accordance with the following methods:
 - a. Emissions Limitation:
Fugitive PE shall not exceed 45.94 tons per year.

Applicable Compliance Method:

Compliance with annual emissions limitations shall be determined based on the emission factor calculations for paved and unpaved roadways and parking areas in AP-42 section 13.2.1 (paved; 1/11), and 13.2.2 (unpaved; 11/06). Initial compliance has been determined utilizing inputs provided by the permittee in their application as follows:

Unpaved sections:

$$EF = ((k \times (s/12)^a \times (W/3)^b) / (365-p)) / 365$$

Where:

EF = size-specific emission factor (lb/VMT)

k (lb/VMT) = 4.9

a = 0.7

b = 0.45

s = % surface material silt content = 8.4

W = mean vehicle weight (tons) = 44.6966

$p = \text{number of rain days per year } > 0.01 \text{ in.} = 140$

Therefore, $EF = 7.94 \text{ lb/VMT}$

Maximum travel = 41,200 VMT/year

$(41,200 \text{ VMT/year})(7.94 \text{ lb/VMT})(1 \text{ ton}/2,000 \text{ lbs}) = 163.47 \text{ TPY uncontrolled PE}$

Assume 75% control efficiency for roadway watering (engineering estimate of permittee)

$(163.47)(1-0.75) = 40.87 \text{ TPY controlled PE}$

Paved sections:

$EF = ((k*(sL)^{0.91}) \times (W)^{1.02}) \times (1-P/(4 \times 365))$

Where:

EF = particulate emission factor (lb/VMT)

k = particle size multiplier (lb/VMT) = 0.082

sL = road surface silt loading (g/m^2) = 8.2

W = mean vehicle weight (tons) = 37.5

P = number of rain days per year >0.01 in. = 140

Therefore, $EF = 20.28 \text{ lb/VMT}$

Maximum travel = 5,000 VMT/year

$(5,000 \text{ VMT/year})(20.28 \text{ lb/VMT})(1 \text{ ton}/2,000 \text{ lbs}) = 50.71 \text{ TPY uncontrolled PE}$

Assume 90% control efficiency for roadway watering (engineering estimate of permittee)

$(50.71 \text{ TPY})(1-0.90) = 5.07 \text{ TPY controlled PE}$

Total fugitive PE = 40.87 TPY + 5.07 TPY = 45.94 tons per year

- b. Emissions Limitation:
No visible PE except for six minutes during any 60-minute period.

Applicable Compliance Method:

If required, visible emissions of fugitive dust shall be determined according to USEPA Method 22, with the modifications found in OAC rule 3745-17-03(B)(4).

- c. Emissions Limitation:
No visible PE except for 13 minutes during any 60-minute period.

Applicable Compliance Method:

If required, visible emissions of fugitive dust shall be determined according to USEPA Method 22, with the modifications found in OAC rule 3745-17-03(B)(4).

- g) Miscellaneous Requirements
 - (1) None.



2. F003, Raw and clean coal and coal refuse material handling

Operations, Property and/or Equipment Description:

1,600 ton per hour coal preparation plant; includes conveyors, screening and transfer systems for moving raw coal from the underground mine to the prep plant and removing clean coal and coal refuse from the prep plant, loading of clean coal into rail cars and trucks, and unloading of raw and clean coal from trucks; administrative modification of EU F003 permitted in PTI # 06-08044 (modified 8/1/06) to include EU F006 permitted in PTI #17-729 (issued 6/26/91) and EU F007 permitted in PTI #17-845 (modified 10/17/91) and to apply BAT to the entire EU that was modified per the definition in OAC Chapter 31 after 1974 and in July of 2006; supercedes PTI #s 17-729, 17-845 and 06-08044

- 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. Rows include OAC rule 3745-31-05(A)(3), OAC rule 3745-17-07(B), and OAC rule 3745-17-08(B).

d.	<p>40 CFR Part 60, Subpart Y (40 CFR 60.250 – 60.258)</p> <p>[In accordance with 40 CFR 60.250(b), this emissions unit includes coal processing and conveying equipment and coal transfer and loading systems that commenced construction, reconstruction or modification after October 27, 1974 and on or before April 28, 2008, processing more than 200 tons of coal per day, subject to the emissions limitations specified in this section.]</p>	<p>The requirements specified in 40 CFR 60.254(a) are less stringent than the requirements established pursuant to OAC rule 3745-31-05(A)(3).</p> <p>See b)(2)g. below.</p>
e.	<p>40 CFR 60.1-19 (40 CFR 60.1a)</p>	<p>The provisions of Subpart A apply to the owner or operator of any stationary source which contains an affected facility that commenced construction or modification after the date of publication in 40 CFR Part 60 that is applicable to that facility.</p>

(2) Additional Terms and Conditions

- a. The material handling operations that are covered by this permit and subject to the above-mentioned requirements are listed below:
- Raw coal scalping tower (initial screening of raw coal; 1,600 TPH)
 - Raw coal stacker (loading of raw coal pile; 1,600 TPH)
 - Unloading of raw coal from trucks (380 TPH)
 - Coal preparation plant (1,600 TPH)
 - Loading of coal refuse into trucks (2 loading points; 800 TPH)
 - Clean coal transfer building (1,600 TPH)
 - Unloading of clean coal from trucks (100 TPH)
 - Clean coal stacker (loading of clean coal pile; 1,600 TPH)
 - Loading of clean coal into trucks (1,000 TPH)
 - Loading of clean coal into railcars (5,800 TPH)
 - Raw and clean coal and coal refuse conveyors and bins (11; 1,600 TPH)
- b. The permittee shall employ best available control measures for the material handling operations listed above, 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 measures to ensure compliance: maintain sufficient moisture to prevent fugitive dust, treat the coal with water and/or any other suitable dust suppression chemicals at sufficient treatment frequencies, maintain enclosures, and minimize



drop height. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- c. 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.
d. The permittee shall not overload trucks hauling refuse so as to eliminate spillage, along with maintaining a minimum dump height from refuse bin into trucks, in order to minimize or eliminate the visible emissions of fugitive dust.
e. The permittee shall continue to maintain covers on all conveyors and the belts shall not be overloaded in order to minimize or eliminate the visible emissions of fugitive dust.
f. Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05 and/or 3745-17-08(B).
g. In accordance with 40 CFR Part 60 Subpart Y, the following pieces of equipment are affected facilities constructed, modified, or reconstructed before April 28, 2008. The material handling operations that are covered by this permit and subject to the NSPS requirements are listed below:

2200' coal refuse conveyor
New coal refuse bin
Clean coal truck loading station

c) Operational Restrictions

- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) 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:

Table with 2 columns: Material handling operation(s) and Minimum inspection frequency. Rows include Raw coal scalping tower, Raw coal stacker, Unloading of raw coal from trucks, Coal preparation plant, Loading of coal refuse into trucks, and Clean coal transfer building, all with a frequency of Daily.



Table with 2 columns: Activity and Frequency. Activities include Unloading of clean coal from trucks, Clean coal stacker, Loading of clean coal into trucks, Loading of clean coal into railcars, and Raw and clean coal and coal refuse conveyors and bins (11). All frequencies are Daily.

- (2) The above-mentioned inspections shall be performed during representative, normal operating conditions.
(3) 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)(3)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) 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.
(2) The permittee shall submit quarterly deviation (excursion) reports that identify all 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.

The quarterly deviation (excursion) reports shall be submitted in accordance with the reporting requirements of the Standard Terms and Conditions of this permit.

- (3) Unless documentation can be submitted to demonstrate that these requirements have been met, the permittee shall submit notifications and reports to the appropriate Ohio EPA District office as required pursuant to 40 CFR Part 60, Subparts A and Y for the clean coal truck loading station (former EU F007) per the following sections:



60.7(a)(1)	Notification of date of construction or reconstruction of an affected facility
60.7(a)(3)	Notification of the actual date of initial startup of an affected facility
60.7(a)(4)	Notification of any physical or operational change to an existing facility which may increase the emission rate of any air pollutant to which a standard applies, unless that change is specifically exempted under an applicable subpart or in §60.14(e).
60.7(a)(6)	Notification of the anticipated date for conducting the opacity observations required by §60.11(e)(1).

f) Testing Requirements

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

a. Emissions Limitation:
Fugitive PE shall not exceed 83.38 tons per year.

Applicable Compliance Method:
Compliance shall be determined through the use of the following equations:

$$\begin{aligned}
 \text{PE (tons/year)} &= [((380 \text{ TPH raw coal unloaded from trucks} + 800 \text{ TPH coal refuse loaded into trucks} + 800 \text{ TPH coal refuse unloaded} + \\
 &\quad (800 \text{ TPH coal refuse transfer points} \times 3 \text{ transfer points}) + 100 \text{ TPH clean coal unloaded from trucks} + 5,800 \text{ TPH clean coal loaded into} \\
 &\quad \text{railcars} + (1,600 \text{ TPH raw and clean coal transfer points} \times 7 \text{ transfer points})) \times 8,760 \text{ hours/year} \times 0.007 \text{ pound PE/ton of coal/coal} \\
 &\quad \text{refuse} \times (1 - 0.90) \times 1 \text{ ton/2,000 pounds}] + [1,000 \text{ TPH clean coal loaded into trucks} \times 8,760 \text{ hours/year} \times 0.04 \text{ pound PE/ton} \\
 &\quad \text{of coal} \times 1 \text{ ton/2,000 pounds}] \\
 &= (188,164,800 \times 0.007 \times (1 - 0.90) \times 1/2,000) + (8,760,000 \times 0.04 \times (1 - 0.90) \times 1/2,000) \\
 &= 65.86 \text{ tons per year} + 17.52 \text{ tons per year} \\
 &= 83.38 \text{ tons per year}
 \end{aligned}$$

Where:

0.007 lb PE/ton coal = emission factor for raw and clean coal and coal refuse unloading/transfer (U.S. EPA's Factor Information Retrieval (FIRE) Data System for SCC code 30501040)

0.04 lb/PE/ton coal = emission factor for clean coal loading of trucks
(FIRE Data System for SCC code 30501038)

90% = control efficiency from permittee's application

- b. Emissions Limitation:
Visible PE shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:
If required, visible particulate emissions shall be determined according to USEPA
Method 9.

- (2) Unless documentation can be submitted to demonstrate that the requirement has been met, performance testing shall be conducted for the clean coal truck loading station (former EU F007) as required in 40 CFR Part 60 Subpart Y pursuant to 40 CFR 60.255. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
- a. The emission testing shall be conducted within sixty (60) days after the effective date of this permit.
 - b. The emissions testing shall be conducted to demonstrate compliance with the visible PE limitations for fugitive emissions from the clean coal truck loading station (former EU F007) in accordance with the requirements of 40 CFR Part 60.255(a).
 - c. The following test method(s) shall be employed to demonstrate compliance with the allowable emission rate(s): for visible emissions, Method 9 of 40 CFR 60, Appendix A.
 - d. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Ohio EPA, Southeast District Office.
 - e. No later than thirty (30) days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA, Southeast District Office. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA, Southeast District Office's refusal to accept the results of the emissions test(s).
 - f. Personnel from the Ohio EPA, Southeast District Office shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

- g. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the Ohio EPA, Southeast District Office within 30 days following completion of test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Ohio EPA, Southeast District Office.

g) **Miscellaneous Requirements**

- (1) 40 CFR Part 60, Subpart Y applies to the truck load-out station (former EU F007) added in the late 1980's and to the 2,200 ft. coal refuse conveyor and rock bin installed as a modification to EU F003 in 2006. The notification requirements in 40 CFR 60.7 were met for the 2006 modification by the letter received by the Ohio EPA, Southeast District Office on August 14, 2006. The performance test required by 40 CFR 60.8 for the coal refuse conveyor and rock bin was completed on September 7, 2006. Based on a review of the test report received on November 3, 2006, the permittee has demonstrated compliance with the visible PE limitation specified in 40 CFR Part 60.254(a). This testing also documented compliance with the visible PE limitation specified by OAC rule 3745-31-05(A)(3) for the 2,200 ft. coal refuse conveyor and rock bin installed in 2006.