



State of Ohio Environmental Protection Agency

Street Address:

Lazarus Gov. Center
50 West Town Street, Suite 700
Columbus, OH 43215

TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049
Columbus, OH 43216-1049

**RE: FINAL PERMIT TO INSTALL
CUYAHOGA COUNTY
Application No: 13-04724
Fac ID: 1318270383**

DATE: 6/12/2008

DiGeronimo Aggregates, LLC
Tom Reeder
8900 Hemlock Road
Indence, OH 44131

CERTIFIED MAIL

	TOXIC REVIEW
	PSD
Y	SYNTHETIC MINOR
	CEMS
	MACT
OOO	NSPS
	NESHAPS
	NETTING
	MAJOR NON-ATTAINMENT
	MODELING SUBMITTED
	GASOLINE DISPENSING FACILITY

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, I urge you to read it carefully.

The Ohio EPA is urging 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 Pollution Prevention at (614) 644-3469.

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

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

Sincerely,

Michael W. Ahern 

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

CC: USEPA

CLAA



Permit To Install
Terms and Conditions

Issue Date: 6/12/2008
Effective Date: 6/12/2008

FINAL PERMIT TO INSTALL 13-04724

Application Number: 13-04724
Facility ID: 1318270383
Permit Fee: **\$1250**
Name of Facility: DiGeronimo Aggregates, LLC
Person to Contact: Tom Reeder
Address: 8900 Hemlock Road
Independence, OH 44131

Location of proposed air contaminant source(s) [emissions unit(s)]:
**8900 Hemlock Road
Independence, Ohio**

Description of proposed emissions unit(s):
Raw shale handling system consisting of crushing, screening, and conveying operations.

The above named entity is hereby granted a Permit to Install for the above described emissions unit(s) 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 above described 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

Chris Korleski
Director

Part I - GENERAL TERMS AND CONDITIONS

A. State and Federally Enforceable Permit-To-Install General Terms and Conditions

1. Monitoring and Related Recordkeeping 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:
 - i. The date, place (as defined in the permit), and time of sampling or measurements.
 - ii. The date(s) analyses were performed.
 - iii. The company or entity that performed the analyses.
 - iv. The analytical techniques or methods used.
 - v. The results of such analyses.
 - vi. 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:
 - i. Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
 - ii. 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 appropriate Ohio EPA District Office or local air agency. 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 B.9 below if no deviations occurred during the quarter.

- iii. 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 appropriate Ohio EPA District Office or local air agency 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.
 - iv. If this permit is for an emissions unit located at a Title V facility, then 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.

2. 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 appropriate Ohio EPA District Office or local air agency 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).

3. 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.

Page 4 of 23

DiGeronimo Aggregates, LLC

PTI Application: 13-04724

Issued: 6/12/2008

Facility ID:

1318270383

4. 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.

5. Severability Clause

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

6. 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.

Page 6 of 23

DiGeronimo Aggregates, LLC

PTI Application: 13-04724

Issued: 6/12/2008

Facility ID:

1318270383

7. 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.

8. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any 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. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

9. Compliance Requirements

- a. 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.
- b. Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:
 - i. 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.
 - ii. 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.
 - iii. Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
 - iv. As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

- c. The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually, or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
 - i. Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - ii. 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.

10. Permit-To-Operate Application

- a. If 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).
- b. If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this permit is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. Permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the source(s) covered by this permit.

11. Best Available Technology

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

12. 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.

13. Permit-To-Install

A permit-to-install must be obtained pursuant to OAC Chapter 3745-31 prior to "installation" of "any air contaminant source" as defined in OAC rule 3745-31-01, or "modification", as defined in OAC rule 3745-31-01, of any emissions unit included in this permit.

B. State Only Enforceable Permit-To-Install General Terms and Conditions

1. Compliance Requirements

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.

2. 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 appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from 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 appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

4. Authorization To Install or Modify

If applicable, authorization to install or modify any new or existing 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 modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

5. Construction of New Sources(s)

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.

6. 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.

7. 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).

8. Construction Compliance Certification

If applicable, the applicant shall provide Ohio EPA with a written certification (see enclosed form if applicable) that the facility has been constructed in accordance with the permit-to-install application and the terms and conditions of the permit-to-install.

The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

9. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations (See Section A of This Permit)

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.

C. Permit-To-Install Summary of Allowable Emissions

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

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

<u>Pollutant</u>	<u>Tons Per Year</u>
PM(Stack)	1.13
PM ₁₀ (Stack)	0.79
PM(Fugitive)	1.71
PM ₁₀ (Fugitive)	0.62
NOx	8.55
C0	1.84
SO ₂	0.57
OC/VOC	0.68

Part II - FACILITY SPECIFIC TERMS AND CONDITIONS

A. State and Federally Enforceable Permit To Install Facility Specific Terms and Conditions

None

B. State Only Enforceable Permit To Install Facility Specific Terms and Conditions

None

Part III - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**A. State and Federally Enforceable Section****I. Applicable Emissions Limitations and/or Control Requirements**

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

Operations, Property, and/or Equipment - P012 - 300 tons per hour Raw Shale Processing Plant including an Front End Loader, a (new)Grizzly Feeder, a (new) Jaw (Primary) Crusher, a Cone (new Secondary) Crusher, a Deister Screen controlled by a Baghouse, a Weekend Front End Loader, 21 conveyors (6 new), a Vibrating Feeder and a (new) 350 HP Diesel Generator.

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
Modified This PTI #13-04724 supercedes PTI #13-03987 issued on 3/13/2003.	
OAC rule 3745-17-07 (A)(1)	The visible particulate emission limitation specified by this rule is less stringent than the visible particulate emission limitation established pursuant to 40 CFR Part 60, Subpart OOO below.
OAC rule 3745-17-07 (B)(1)	The visible fugitive emission limitation specified by this rule is less stringent than the visible emission limitation established pursuant to 40 CFR Part 60, Subpart OOO below.
OAC rule 3745-17-08 (B)	See A.I.2.b - d below.
OAC rule 3745-17-11(A)(2)	The particulate emission limitation specified by this rule is less stringent than the emission limitation established pursuant to 40 CFR Part 60, Subpart OOO below.
40 CFR Part 60 Subpart OOO	<p>Particulate emissions from the Deister screen baghouse stack serving this emissions unit shall not exceed 0.05 grams per dry standard cubic meter (g/dscm) - this converts to: 0.022 grains per dry standard cubic feet (gr/dscf);</p> <p>Visible particulate emissions from the Deister screen baghouse stack shall not exceed 7% opacity, as a 6-minute average.</p> <p>Visible emissions of fugitive dust from points other than the crushers shall not exceed 10% opacity, as a 6-minute average. (See section</p>

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
	<p>A.I.2.a.).</p> <p>Visible emissions of fugitive dust from the jaw crusher and the cone crusher (both of which have no capture system) shall not exceed 15% opacity, as a 6-minute average.</p>
350 HP Diesel Fired Generator	
OAC rule 3745-17-07(A)	Visible particulate emissions shall not exceed 20% percent opacity, as a 6-minute average, except as provided by rule.
OAC rule 3745-17-11(B)(5)(a)	0.310 lb/mm Btu of particulate emissions of actual heat input
OAC rule 3745-31-05(C) Synthetic Minor to avoid PSD and Nonattainment NSR	<p>2.23 tons/year* PM emissions (crushing); 0.80 tons/year* PM₁₀ emissions (crushing); 3.37 tons/year* particulate emissions (generator); 3.37 tons/year* PM₁₀ emissions (generator); 8.55 tons/year* NOx emissions (generator); 1.84 tons/year* CO emissions (generator); 0.57 tons/year* SO₂ emissions (generator); and 0.68 tons/year* OC/VOC emissions (generator).</p> <p>* per rolling, 12-month period</p> <p>See A.I.2.a below. See A.II.2 below.</p>

2. Additional Terms and Conditions

2.a Permit to Install #13-04724 for this air contaminant source takes into account the following voluntary restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements under OAC rule 3745-31-05 (A)(3):

- a. totally enclosed hood and baghouse for the screen;
- b. water/suppressant sprays at raw shale hopper;
- c. restricting operation to 1577 hours/year.

BAT requirements under OAC rule 3745-31-05(A)(3) do not apply to the crusher and generator emissions since the calculated annual emission rate for PM and PM10 emissions from the crushing operation and PM, PM10, NOx, CO, SO2 and

OC/VOC emissions from the generator is less than ten tons per year taking into account the permittee's request for voluntary restrictions to avoid BAT requirements and synthetic minor restrictions.

2.b The permittee shall employ reasonably available control measures for the crushing operation for the purpose of ensuring compliance with the applicable requirements. In accordance with the permittee's permit application, the permittee has committed to employing water spray bars at the hopper charging point, after crushing operations, and at the end of each conveyor belt to ensure compliance. The permittee shall also minimize the free fall distance of the processed material. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.c For each phase of the crushing operation that is not adequately enclosed, the 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 applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the crusher until further observation confirms that use of the control measure(s) is unnecessary.

2.d The loading, crushing, screening, conveying and material handling operations of the shale processing plant that are covered by this permit and subject to the requirements of OAC rules 3745-17-07 and 3745-17-08 are listed below:

- Front end loader to hopper (existing)
- 300 ton per hour Grizzly Feeder (new)
- 300 ton per hour Jaw Crusher (new)
- 6 ft x 24 ft Deister Screen with Baghouse (existing)
- 150 ton per hour Cone Crusher (new)
- 21 Conveyors (15 existing, 6 new)
- Weekends Front End Loader (existing)
- Vibrating Feeder to Kiln (existing)
- 350 HP Diesel Fired Generator

II. Operational Restrictions

1. This emissions unit is restricted to a maximum raw shale feed rate of 392,400 tons per rolling, 12-month period. To ensure enforceability during the first 12 calendar months of operation, the permittee shall not exceed the production levels specified in the following table:

<u>Month</u>	<u>Maximum Allowable Cumulative Raw Shale Feed Rate</u>
1	122,980
1-2	147636
1-3	172293

1-4	196949
1-5	221605
1-6	246262
1-7	270918
1-8	295575
1-9	320231
1-10	344887
1-11	369544
1-12	394,200

After the first 12 calendar months of operation, compliance with the annual production rate limitation shall be based upon a rolling, 12-month summation of the production rates.

- The permittee shall burn only No.2 fuel oil (diesel) with a sulfur content less than 0.5% by weight in the diesel engine and generator.
- The maximum annual operating hours for the diesel generator shall not exceed 1,577 hrs, based upon a rolling, 12-month summation of the operating hours.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the operating hours specified in the following table:

<u>Month(s)</u>	<u>Maximum Allowable Cumulative Operational hours</u>
1	224
1-2	347
1-3	470
1-4	593
1-5	716
1-6	839
1-7	962
1-8	1085
1-9	1208
1-10	1331
1-11	1454
1-12	1577

After the first 12 calendar months of operation following the issuance of this permit, compliance with the annual hours limitation for the diesel generator while burning No.2 fuel oil shall be based upon a rolling, 12-month summation of the operating hours.

III. Monitoring and/or Recordkeeping Requirements

1. The permittee shall collect and record the following information each month for this emissions unit:
 - a. the monthly raw shale feed rate, in tons; and
 - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the total raw shale feed rate for the emissions unit.

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

2. The permittee shall perform daily checks, when the emissions unit is in operation and when weather conditions allow, for any visible particulate emissions from the baghouse stack serving the 6' x 24' screening activity. The presence or absence of any visible emissions from the baghouse stack shall be noted in an operations log. If visible emissions from the baghouse stack are observed, the permittee shall also note the following in the operations log:
 - a. the color of the emissions;
 - b. whether the emissions are representative of normal operations;
 - c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
 - d. the total duration of any visible emission incident; and
 - e. any corrective actions taken to minimize or eliminate the visible emissions.
3. 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:

crushing, screening, and material handling operations	minimum inspection frequency
conveyor belts	daily, when in operation
front end loader to grizzly feeder	daily, when in operation
grizzly feeder	daily, when in operation
300-ton per hour jaw crusher	daily, when in operation
6' x 24' screen	daily, when in operation
150-ton per hour cone crusher	daily, when in operation

4. The above-mentioned inspections shall be performed during representative, normal operating conditions.
5. The permittee may, upon receipt of written approval from the Cleveland Division of Air Quality, modify the above-mentioned inspection frequencies if operating experience

indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.

6. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure;
 - c. the dates the control measure was implemented; and
 - d. on a calendar quarter basis, the total number of days the control measure was implemented.

The information in 4.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.

7. For each day during which the permittee burns a fuel other than No.2 fuel oil, the permittee shall maintain a record of the type and quantity of fuel burned in the diesel generator.
8. The permittee shall maintain monthly records of the following information for the diesel generator:
 - a. the operating hours for each month.
 - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the operating hours.

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

IV. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports to the Cleveland Division of Air Quality (Cleveland DAQ) which identify all exceedances of the rolling, 12-month raw shale feed rate limitation, for the first 12 calendar months of operation following the issuance of this permit, all exceedances of the maximum allowable cumulative raw shale feed rate levels. Each report shall be submitted within 30 days after the deviation occurs.

2. The permittee shall submit semiannual written reports that (a) identify all days during which any visible particulate emissions were observed from the baghouse stack serving the 6' x 24' screening activity and (b) describe any corrective actions taken to eliminate the visible particulate emissions. These reports shall be submitted to the Cleveland DAQ by January 31 and July 31 of each year and shall cover the previous 6-month period.
3. The permittee shall submit quarterly deviation (excursion) reports to the Cleveland DAQ that identify the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.

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

4. The permittee shall submit deviation (excursion) reports to the Cleveland DAQ that identify each day when a fuel other than No.2 fuel oil was burned in the diesel generator. Each report shall be submitted within 30 days after the deviation occurs.
5. The permittee shall submit deviation (excursion) reports to the Cleveland DAQ which identify all exceedances of the rolling, 12-month operating hours limitation for the diesel generator and, for the first 12 calendar months of operation following the issuance of this permit, all exceedances of the maximum allowable cumulative operating hours levels. Each report shall be submitted within 30 days after the deviation occurs.

V. Testing Requirements

1. Compliance with the emission limitation(s) in Section A.I.1 of these terms and conditions shall be determined in accordance with the following method(s):
 - a. Emission Limitations:
0.022gr/dscf from the Deister screen baghouse stack

Applicable Compliance Method
If required, compliance with this emission limit shall be determined by emission testing using Methods 1-5 of 40 CFR Part 60, Appendix A.
 - b. Emission Limitation:
Visible particulate emissions from the Deister screen baghouse stack shall not exceed 7% opacity, as a 6-minute average.

DiGeronimo Aggregates, LLC

PTI Application: 13-04724

Issued: 6/12/2008

Facility ID: 1318270383

Emissions Unit ID: P012

Applicable Compliance Method:

Compliance with the above visible emission limitation shall be determined through performance testing using Method 9 of 40 CFR, Part 60, Appendix A. This compliance method shall be used whenever a compliance determination is warranted.

- c. Emission Limitation:
Visible emissions of fugitive dust from points other than the crushers shall not exceed 10% opacity, as a 6-minute average.

Applicable Compliance Method:

Compliance with the above visible emission limitation shall be determined through performance testing using Method 9 of 40 CFR, Part 60, Appendix A. See section V.2 below.

- d. Emission Limitation:
Visible emissions of fugitive dust from the Jaw and Cone crushers shall not exceed 15% opacity, as a 6-minute average.

Applicable Compliance Method:

Compliance with the above visible emission limitation shall be determined through performance testing using Method 9 of 40 CFR, Part 60, Appendix A. See section V.2 below.

- e. Emission Limitation:
0.310 lb PE/MMBtu from the diesel fired generator.

Applicable Compliance Method

If required, compliance shall be determined by performing a stack test using Methods 1-5 of 40 CFR Part 60, Appendix A.

- f. Emission Limitation:
Visible particulate emissions shall not exceed 20% opacity, as a 6-minute average, except as provided by rule (from the diesel fired generator)

Applicable Compliance Method:

Compliance shall be determined through performance testing using USEPA Method 9 of 40 CFR Part 60, Appendix A. See section V.2 below.

- g. Emission Limitations:
2.23 tons/year of PM emissions from crushing operation per rolling, 12-month period
0.80 tons/year of PM₁₀ emissions from crushing operation per rolling, 12-month period

Applicable Compliance Method

Compliance with the annual PM/PM₁₀ emission limitation shall be determined using the controlled emission factors for crushing and material handling operations in AP-42, Chapter 11.19.2 (Crushed Stone Processing), Fifth Edition, dated 1/1995. These emission factors are being used because wet suppression is applied at the primary jaw crusher located in the pit and the normally high

moisture content of the raw shale. The watering controlled emission factors from AP-42, are:

	PM (lb/ton)	PM ₁₀ (lb/ton)
primary crushing	0.0012	0.00054
conveyors	0.00014	0.000046
screening	0.0022	0.00074

The uncontrolled emission factor for hopper loading is 0.000016 lb/ton for PM₁₀. For hopper loading PM emissions, multiply the PM₁₀ emissions by a factor of 2.1. For hopper loading only multiply by (1 - 0.60) to account for the 60% watering emission control efficiency.

Compliance shall be determined by multiplying the emission factors identified above by the actual annual amount of material processed for each part of the process identified in term A.I.2.d (except the generator), divide by 2000 lbs/ton, and then sum total emissions.

h. Emission Limitation:

- 3.37 tons/year of PM emissions from the diesel fired generator per rolling, 12-month period;
- 3.37 tons/year of PM₁₀ emissions from the diesel fired generator per rolling, 12-month period;
- 8.55 tons/year of NO_x emissions from the diesel fired generator per rolling, 12-month period;
- 1.84 tons/year of CO emissions from the diesel fired generator per rolling, 12-month period;
- 0.57 tons/year of SO₂ emissions from the diesel fired generator per rolling, 12-month period; and
- 0.68 tons/year of OC/VOC emissions from the diesel fired generator per rolling, 12-month period.

Applicable Compliance Method

Compliance shall be determined by multiplying the emission factor (noted above) for each pollutant by 350 HP and then multiply by the actual number of hours the generator was operated during the rolling 12-month period, and dividing by 2000 lbs/ton. The actual number of hours the generator was operated shall be determined in accordance with the record keeping in section A.III.8.

The emission factors for the various pollutants taken from AP-42, Chapter 3.3.1 (Gasoline and Diesel Industrial Engines), Table 3.3-1, Fifth Edition, dated 10/1996 are as follows:

Pollutant	Emission Factor (lb/HP-hour)
NOx	0.031
CO	0.00668
SO ₂	0.00205
PM/PM ₁₀	0.0022
OC/VOC	0.00247

2. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
- a. The emission testing shall be conducted within 90 days of the emissions unit becoming operational. The emissions unit shall become operational after a reasonable shakedown period not to exceed 180 days after initial start up.
 - b. The emission testing shall be conducted to demonstrate compliance with opacity emission limitations for the primary crusher and transfer points listed in Section A.2.d of these terms and conditions with an emission limitation of 10%(transfer points), 15%(crushers) and 20% (generator) opacity and subject to 40 CFR Part 60, subpart OOO. The emission testing is not required for wet screening operations and subsequent screening operations, and belt conveyors that process saturated material in the production line up to, but not including the next crusher, grinding mill or storage bin, or for screening operations, and belt conveyors in the production line downstream of wet mining operations, that process saturated materials up to the first crusher, grinding mill, or storage bin in the production line.
 - c. The following test method(s) shall be employed to demonstrate compliance: for particulate emissions Method 9 of 40 CFR Part 60, Appendix A and the procedures in Section 60.11 of 40 CFR Part 60, subpart A, with the following additions:
 - i. The minimum distance between the observer and the emission source shall be 4.57 meters (15 feet).
 - ii. The observer shall, when possible, select a position that minimizes interference from other fugitive emission sources (e.g., road dust). The required observer position relative to the sun (Method 9, Section 2.1) must be followed.
 - iii. For affected facilities using wet dust suppression for particulate matter control, a visible mist is sometimes generated by the spray. The water

mist must not be confused with particulate matter emissions and is not to be considered a visible emission. When a water mist of this nature is present, the observation of emissions is to be made at a point in the plume where the mist is no longer visible.

- d. When demonstrating compliance with the fugitive emissions standard for any crusher at which a capture system is not used as described under Section 60.672(c) of 40 CFR Part 60, subpart OOO, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
 - i. There are no individual readings greater than 10 percent opacity; and
 - ii. There are no more than 3 readings of 10 percent for the 1-hour period.
- e. When demonstrating compliance with the fugitive emissions standard for the transfer points listed in Section A.2.c of these terms and conditions with an emission limitation of 10% opacity and subject to 40 CFR Part 60, subpart OOO, the duration of the Method 9 observations may be reduced from 3 hours (thirty 6-minute averages) to 1 hour (ten 6-minute averages) only if the following conditions apply:
 - i. There are no individual readings greater than 10 percent opacity; and
 - ii. There are no more than 3 readings of 10 percent for the 1-hour period.
- f. 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 Cleveland Division of Air Quality.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Cleveland Division of Air Quality. 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 Cleveland Division of Air Quality refusal to accept the results of the emission test(s).

Personnel from the Cleveland Division of Air Quality shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

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

VI. Miscellaneous Requirements

None

B. State Only Enforceable Section

I. Applicable Emissions Limitations and/or Control Requirements

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

Operations, Property, and/or Equipment - P012 - 300 tons per hour Raw Shale Processing Plant including an Front End Loader, a (new)Grizzly Feeder, a (new) Jaw (Primary) Crusher, a Cone (new Secondary) Crusher, a Deister Screen controlled by a Baghouse, a Weekend Front End Loader, 21 conveyors (6 new), a Vibrating Feeder and a (new) 350 HP Diesel Generator.

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
None	None

2. **Additional Terms and Conditions**

- 2.a None

II. Operational Restrictions

None

III. Monitoring and/or Recordkeeping Requirements

None

IV. Reporting Requirements

None

V. Testing Requirements

None

VI. Miscellaneous Requirements

None