



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 MODIFICATION**

**CERTIFIED MAIL**

**STARK COUNTY**

**Application No: 15-01717**

**Fac ID: 1576001809**

**DATE: 6/5/2008**

JandD Mining Inc  
James Demuth  
PO Box 405 7340 Willowdale S.E.  
Magnolia, OH 44643

	TOXIC REVIEW
	PSD
Y	SYNTHETIC MINOR
	CEMS
	MACT
40 CFR Part 60, subpart I	NSPS
	NESHAPS
	NETTING
	MAJOR NON-ATTAINMENT
	MODELING SUBMITTED
	GASOLINE DISPENSING FACILITY

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

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

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

Sincerely,

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

CC: USEPA

Canton LAA



Permit To Install  
Terms and Conditions

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Issue Date: 6/5/2008  
Effective Date: 6/5/2008

**FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 15-01717**

Application Number: 15-01717

Facility ID: 1576001809

Permit Fee: **\$625**

Name of Facility: JandD Mining Inc

Person to Contact: James Demuth

Address: PO Box 405 7340 Willowdale S.E.  
Magnolia, OH 44643

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

**7340 Willowdale Ave SE  
Sandy Twp, Ohio**

Description of proposed emissions unit(s):

**This is an administrative modification to PTI 15-01501 for emission unit P901, an rotary drum type, 300 tphr., asphalt plant to incorporate the use of roofing shingles as RAP.**

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Chris Korleski  
Director

## Part I - GENERAL TERMS AND CONDITIONS

### A. Permit to Install General Terms and Conditions

#### 1. Compliance Requirements

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

#### 2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted (i.e., postmarked) quarterly by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

#### 3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

#### 4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air

contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

**5. Scheduled Maintenance/Malfunction Reporting**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

**6. Permit Transfers**

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

**7. Air Pollution Nuisance**

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

**8. Termination of Permit to Install**

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

**9. Construction of New Sources(s)**

The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental

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

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

**10. Public Disclosure**

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

**11. Applicability**

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

**12. Best Available Technology**

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

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

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

#### 14. Construction Compliance Certification

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

#### 15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

### B. Permit to Install Summary of Allowable Emissions

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

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

<u>Pollutant</u>	<u>Tons Per Year</u>
NOx	3.75
CO	60
VOC	1.23
SOx	25.6
PM/PM-10	8.2

**PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**

**A. Applicable Emissions Limitations and/or Control Requirements**

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

**Operations, Property, and/or Equipment - (P901) - 225 tphr. hot mix rotary drum asphalt plant fueled by either natural gas or fuel oil. This PTI is an administrative modification of PTI 15-01501. The terms and conditions in this PTI for emissions unit P901 only supersede those in PTI 15-01501.**

*Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
<p>OAC rule 3745-31-05 (A)(3)</p>	<p>Visible particulate emissions from any stack associated with P901 shall not exceed 10% opacity, as a six-minute average.</p> <p>Visible particulate emissions from any fugitive dust emissions point associated with P901 shall not exceed 20% opacity, as a three-minute average.</p> <p>The stack emissions shall not exceed the following when burning natural gas:                      The nitrogen oxide (NO<sub>x</sub>) emissions shall not exceed 5.63 lbs/hr.                      The carbon monoxide (CO) emissions shall not exceed 90 lbs/hr.                      The volatile organic compound (VOC) emissions shall not exceed 1.85 lbs/hr.                      The sulfur dioxide (SO<sub>2</sub>) emissions shall not exceed 1.03 lbs/hr.                      The PM/PM10 emissions shall not exceed 7.95 lbs/hr.</p> <p>The stack emissions shall not exceed the following when burning No. 2 fuel oil:                      The NO<sub>x</sub> emissions shall not exceed 5.63 lbs/hr.                      The CO emissions shall not exceed 90 lbs/hr.                      The VOC emissions shall not exceed 1.85 lbs/hr.                      The SO<sub>2</sub> emissions shall not exceed 24.85 lbs/hr.                      The PM/PM10 emissions shall not exceed 7.95 lbs/hr.</p> <p>Fugitive PM emissions from aggregate material handling shall not exceed 12 tons/yr.                      Fugitive PM10 emissions from aggregate material handling shall not exceed 1.2 tons/yr.</p>

	<p>The requirements of OAC rule 3745-31-05 (A)(3) also include compliance with the requirements of 40 CFR Part 60 Subpart I and OAC rule 3745-35-07 (B).</p> <p>See sections A.2.a through A.2.j below.</p>
OAC rule 3745-31-05(D)	<p><b>Burning Natural Gas:</b>  The NO<sub>x</sub> emissions shall not exceed 3.75 tons/yr.  The CO emissions shall not exceed 60 tons/yr.  The VOC emissions shall not exceed 1.23 tons/yr.  The SO<sub>2</sub> emissions shall not exceed 0.69 ton/yr.  The PM/PM10 emissions shall not exceed 8.19 tons/yr.</p> <p><b>Burning Fuel Oil No. 2:</b>  The NO<sub>x</sub> emissions shall not exceed 3.75 tons/yr.  The CO emissions shall not exceed 60 tons/yr.  The VOC emissions shall not exceed 1.23 tons/yr.  The SO<sub>2</sub> emissions shall not exceed 25.6 tons/yr.</p> <p>The TPY emissions limits are based upon a rolling, 12-month summation of the monthly emissions, and as established in the restricted potential to emit procedures of Part II, Section E using the federally enforceable production limitations and operating hours' limitations of Part II, Section B.</p> <p>The PM emissions shall not exceed 0.04 grain/dscf.</p>
40 CFR Part 60, Subpart I	<p>The visible particulate emissions' limitation required by 40 CFR Part 60, Subpart I is less stringent, than the visible particulate emissions limitation established pursuant to OAC rule 3745-31-05 (A)(3).</p>
OAC rule 3745-17-07 (A)(1) OAC rule 3745-17-11 (B) OAC rule 3745-18-06 (E)	<p>The emissions limitations specified by these rules are less stringent than the emissions limitations established pursuant to OAC rule 3745-31-05 (A)(3).</p>

## 2. Additional Terms and Conditions

**2.a** Compliance with OAC rule 3745-31-05 (A)(3) shall be demonstrated by the emissions limitations, production limitations, operating hours' limitation and use of a baghouse.

**2.b** The permittee reserves the right to burn natural gas and #2 fuel oil in this emissions unit. No other fuel shall be burned in P901.

- 2.c No oil containing more than 0.5% by weight of sulfur shall be burned in this emissions unit.
- 2.d The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.
- 2.e The permittee shall maintain a minimum height of 35 feet for the baghouse stack.
- 2.f The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:
  - transfer points of material
  - aggregate conveyor screening
  - weight hopper loading
- 2.g For each material handling operation that is not adequately enclosed, the below-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.
- 2.h The drop height of the front end loader bucket shall be minimized to the extent possible in order to minimize or eliminate visible emissions of fugitive dust from the cold feed bins and recycled material (RAP) bin.
- 2.i The aggregate loaded into the storage bins shall have a moisture content sufficient to minimize or eliminate the visible emissions of fugitive dust from the elevator and the transfer point to the dryer.
- 2.j 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 rules 3745-17-08 and 3745-31-05.
- 2.k The hourly emissions limitations outlined in term A.1. are based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with these limits.

## B. Operational Restrictions

1. To ensure the baghouse is operated according to the manufacturer's specifications and to maintain compliance with the allowable particulate emission rate, a pressure drop

across the baghouse of not less than 2 nor greater than 8 inches of water shall be maintained at all times when this emissions unit is being operated.

2. The maximum annual operating hours for this emissions unit shall not exceed 2,060 hours, based upon a rolling, 12-month summation of the operating hours.

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

<u>Months(s)</u>	<u>Maximum Allowable Cumulative Operating Hours</u>
1	172
1-2	343
1-3	515
1-4	687
1-5	858
1-6	1030
1-7	1202
1-8	1373
1-9	1545
1-10	1717
1-11	1888
1-12	2060

After the first 12 calendar months of operation, compliance with the annual operating hours' limitation shall be based upon a rolling, 12-month summation of the operating hours.

3. The maximum annual asphalt production for this emissions unit shall not exceed 300,000 tons per year based upon a rolling, 12-month summation of the production rates. To ensure enforceability during the 12 calendar months of operation, the permittee shall not exceed the production rate specified in the following table:

<u>Month(s)</u>	<u>Maximum Allowable Cumulative Tons of Hot Mix Asphalt Produced</u>
1	25,000
1-2	50,000
1-3	75,000
1-4	100,000
1-5	125,000
1-6	150,000
1-7	175,000
1-8	200,000
1-9	225,000

1-10	250,000
1-11	275,000
1-12	300,000

After the first 12 months of operation, compliance with the annual production limitation for this emissions unit shall be based upon a rolling, 12-month summation of the tons of asphalt produced.

4. The permittee may substitute reclaimed asphalt pavement (RAP) and/or asphalt shingles in amounts not to exceed 50 percent of all aggregate materials in the raw material feed mix.

The permittee shall only use virgin aggregate, asphalt shingles and reclaimed asphalt pavement (RAP) in the raw material feed mix. For the purposes of this permit, virgin aggregate shall be clean, uncontaminated, quarried material.

No asbestos containing asphalt shingles may be used as part of the feed mix. Verification that the shingles do not contain asbestos can either be done by actual testing of a representative sample of the shingles, or by verification from the shingle manufacturer that the shingles do not contain asbestos. Records shall be kept documenting the asbestos verification of any shingles used in the feed mix. These records shall be maintained following the Part I General Terms and Conditions Records Retention Requirements term.

### **C. Monitoring and/or Recordkeeping Requirements**

1. The permittee shall maintain monthly records of the following information:
  - a. the operating hours for each month; and
  - b. the rolling, 12-month summation of the operating hours.

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

2. The permittee shall maintain monthly records of the following information:
  - a. the tons of asphalt produced for each month; and
  - b. the rolling, 12-month summation of the asphalt production in tons.

Also, during the first 12 months of operation, the permittee shall record the cumulative asphalt production in tons for each calendar month.

3. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the fabric filter while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across the fabric filter on a daily basis.
4. Except as otherwise provided in this section, for aggregate handling operations that are not adequately enclosed, the permittee shall perform daily inspections of such operation to determine if any visible particulate emissions are being generated. The inspections shall be performed during representative, normal operating conditions.

The permittee may, upon receipt of written approval from the Canton local air agency, 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.

5. The permittee shall maintain records of the following information for the inspections of the aggregate handling operations:
  - 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 5.d shall be kept separate 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.

6. The baghouse internal components and bags must be inspected regularly. Intervals between inspections should not exceed two (2) weeks during the asphalt production season. The permittee shall maintain records of such inspections and any repairs made. Such records shall be made available to personnel from the Canton local air agency (or any other agent of the Ohio EPA) upon request during normal working hours.
7. The permittee shall conduct daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible particulate emissions from the stack servicing the dryer. These checks shall be conducted under normal operating conditions. The checks shall be conducted for at least six consecutive minutes. The presence or

absence of any visible particulate emissions shall be recorded in an operations log and shall be made available to personnel from the Canton local air agency (or any other agent of the Ohio EPA) upon request during normal working hours. If visible particulate emissions are observed, the permittee shall also note the following in the operations log:

- a. the color of the visible particulate emissions;
  - b. whether the visible particulate emissions are representative of normal operations;
  - c. if the emissions are not representative of normal operations, the cause of the abnormal visible particulate emissions;
  - d. the total duration of any visible particulate emission incident; and
  - e. any corrective actions taken to eliminate the visible particulate emissions.
8. The permittee shall maintain the following records:
- a. records showing the breakdown of the amount of each raw material used in each product mix;
  - b. records showing the type and amount of each fuel combusted;
  - c. fuel analysis from the supplier of each type of fuel at the site; and
  - d. records showing what types of asphalt are being stored on site, the supplier of the asphalt, and an analysis of each asphalt from the supplier.
9. The permittee shall maintain daily records of the percentage of RAP/asphalt shingles mixed with the raw material feed mix; the weight of the RAP/asphalt shingles shall not exceed the weight of the virgin aggregate.

#### **D. Reporting Requirements**

1. The permittee shall submit deviation (excursion) reports which identify all exceedances of the rolling, 12-month operating hours' limitation and, for the first 12 calendar months of operation, all exceedances of the maximum allowable cumulative operating hours' levels.
2. The permittee shall submit deviation (excursion) reports which identify all exceedances of the rolling, 12-month asphalt production rate limitation and, for the first 12 calendar months of operation, all exceedances of the maximum allowable cumulative asphalt production rates' levels.
3. The permittee shall submit deviation (excursion) reports which identify all exceedances of the above-mentioned allowable pressure drop range.

4. The permittee shall submit deviation (excursion) reports which identify each day when a fuel other than natural gas or number two fuel oil was burned in this emissions unit.
5. The permittee shall submit deviation (excursion) reports that identify each day when a No. 2 fuel oil was burned that contained a sulfur content of more than 0.5 percent by weight.
6. The permittee shall submit deviation (excursion) reports which identify any day when the material handling operations were not inspected.
7. The permittee shall submit semiannual written reports which identify the following:
  - a. all days during which any visible particulate emissions were observed from the stack serving this emissions unit;
  - b. any corrective actions taken to eliminate visible particulate emissions from the stack; and
  - c. all days when at least 6-minutes of daily checks for visible particulate emissions were not conducted when the emissions unit was in operation and the weather conditions were acceptable.

The reports shall be submitted to the Canton local air agency by January 31 and July 31 of each year and shall cover the previous 6-month period.

8. These reports, as denoted by terms D.1 - D.7, are due by the date described in Part 1 - General Terms and Conditions of this permit under section (A)(2).
9. The permittee shall submit a Preventative Maintenance and Malfunction Abatement Plan (PM&MAP) to the Canton local air agency within thirty days after issuance of this permit to install. This PM&MAP shall comply with the requirements listed in OAC rule 3745-15-06(D)(1). The manual titled "Ohio EPA's Operation and Maintenance (O&M) Guidelines for Air Pollution Control Equipment" provides excellent guidance on how to develop an acceptable PM&MAP.
10. The permittee shall notify the Canton local air agency in writing of any record showing that the baghouse was not in service when the emissions unit was in operation. The notification shall include a copy of such record and shall be sent to the canton local air agency within 30 days after the event occurs.
11. The permittee shall furnish the Canton local air agency written notification as follows:

A 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 40 CFR 60.14(e). This notice shall be postmarked

60 days or as soon as practicable before the change is commenced and shall include information describing the precise nature of the change, present and proposed emission control systems, productive capacity of the facility before and after the change, and the expected completion date of the change. The Canton local air agency may request additional relevant information subsequent to this notice.

12. Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:
  - a. Construction date (no later than 30 days after such date);
  - b. Anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
  - c. Actual start-up date (within 15 days after such date); and
  - d. Date of performance testing (if required, at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency  
DAPC - Permit Management Unit  
P. O. Box 163669  
Columbus, Ohio 43216-3669

and

Canton City Health Department  
Air Pollution Control Division  
420 Market Avenue N.  
Canton, OH 44702

13. The permittee shall submit deviation (excursion) reports which identify any exceedance of the 50% percent RAP/asphalt shingles content limitation

## **E. Testing Requirements**

1. No later than 90 days after the start up of this emissions unit, the permittee shall conduct, or have conducted, an emission test(s) for this emissions unit in order to demonstrate compliance with the allowable mass emission rate(s) for particulates, VOC, CO, SO<sub>2</sub> and NO<sub>x</sub>. The test(s) shall be conducted in accordance with the test methods and procedures specified in Method 5 of 40 CFR Part 60, Appendix A for particulates, Method 25 or 25A of 40 CFR Part 60, Appendix A for VOC, Method 10 or 10A of 40 CFR Part 60, Appendix A for CO, Method 6 of 40 CFR Part 60, Appendix A for SO<sub>2</sub> and Method 7 of 40 CFR Part 60, Appendix A for NO<sub>x</sub> while the emissions unit is operating at or near maximum capacity,

using only virgin aggregate and No. 2 oil as fuel for the dryer. For Method 5 the sampling time and sample volume for each run shall be at least 60 minutes and 0.90 dscm (0.04 gr/dscf).

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit's operating parameters, the time(s) and dates(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 field office's refusal to accept the results of the emissions test(s).

Personnel from the Canton local air agency shall be permitted to witness the test(s), examine the testing equipment and acquire data and information regarding the emissions unit's operating parameters.

A comprehensive written report on the results of the emissions test(s) shall be submitted within 30 days following completion of the test(s).

2. Compliance with the emission limitation(s) in sections A.1. and A.2. of these terms and conditions shall be determined in accordance with the following method(s):
  - a. Emissions Limitation  
Limit of 0.04 gr/dscf of particulate emissions in the exhaust gases from the stack.  
  
Applicable Compliance Method  
Compliance shall be determined by emission testing as specified in section E.1.
  - b. Emissions Limitation  
Visible particulate emissions from any stack associated with this emissions unit shall not exceed 20% opacity, as a six-minute average, except as provided by rule.  
  
Applicable Compliance Method  
Compliance shall be determined by visible emission observations performed in accordance with USEPA Reference Method 9 and the procedures specified in OAC rule 3745-17-03 (B)(1).
  - c. Emissions Limitation  
Burning natural gas or No. 2 fuel oil  
Nitrogen oxide emissions shall not exceed 5.63 lbs/hr and 3.75 tons/yr.  
  
Applicable Compliance Method  
Compliance shall be determined by emission testing as specified in section E.1.  
Compliance with the annual limit shall be determined based upon the following formula:

$$E = A * B \text{ [1 ton / 2,000 lbs]}$$

Where:

E = NOx emission rate in tons per year.

A = average emission rate in pounds NOx per ton of asphalt produced from the most recent performance stack test.

B = annual 12-month summation of asphalt produced (tons).

d. Emissions Limitation

Burning natural gas or No. 2 fuel oil

Carbon monoxide emissions shall not exceed 90 lbs/hr and 60 tons/yr.

Applicable Compliance Method

Compliance shall be determined by emission testing as specified in section E.1.

Compliance with the annual limit shall be determined based upon the following formula:

$$E = A * B \text{ [1 ton / 2,000 lbs]}$$

Where:

E = CO emission rate in tons per year.

A = average emission rate in pounds CO per ton of asphalt produced from the most recent performance stack test.

B = annual 12-month summation of asphalt produced (tons).

e. Emissions Limitation

Burning natural gas or No. 2 fuel oil

PM/PM10 stack emissions shall not exceed 7.95 lbs/hr and 8.19 tons/yr.

Applicable Compliance Method

Compliance shall be determined by emission testing as specified in section E.1.

The TPY emission rate will be based on multiplying the short term lb/hr emission rate by the annual operating hours of the emissions unit.

f. Emissions Limitation

Burning natural gas or No. 2 fuel oil

VOC emissions shall not exceed 1.85 lbs/hr and 1.23 tons/yr.

Applicable Compliance Method

Compliance shall be determined by emission testing as specified in section E.1.

Compliance with the annual limit shall be determined based upon the following formula:

$$E = A * B \text{ [1 ton / 2,000 lbs]}$$

Where:

E = VOC emission rate in tons per year.

A = average emission rate in pounds VOC per ton of asphalt produced from the most recent performance stack test.

B = annual 12-month summation of asphalt produced (tons).

g. Emissions Limitation

Burning natural gas

The sulfur dioxide (SO<sub>2</sub>) emissions shall not exceed 1.03 lbs/hr and 0.69 ton/yr.

Applicable Compliance Method(s)

Compliance shall be determined by emission testing as specified in section E.1.

Compliance with the annual limit shall be determined based upon the following formula:

$$E = A * B [1 \text{ ton} / 2,000 \text{ lbs}]$$

Where:

E = SO<sub>2</sub> emission rate in tons per year.

A = average emission rate in pounds SO<sub>2</sub> per ton of asphalt produced from the most recent performance stack test.

B = annual 12-month summation of asphalt produced (tons).

h. Emissions Limitation

Burning No. 2 fuel oil

The sulfur dioxide (SO<sub>2</sub>) emissions shall not exceed 24.85 lbs/hr and 25.6 ton/yr.

Applicable Compliance Method(s)

Compliance shall be determined by emission testing as specified in section E.1.

Compliance with the annual limit shall be determined based upon the following formula:

$$142(\% \text{ sulfur})\text{lb}/1000 \text{ gal}$$

$$142(0.5)\text{lb}/1000 \text{ gal}$$

i. Emissions Limitation

Visible particulate emissions of fugitive dust from this emissions unit shall not exceed twenty percent opacity, as a three-minute average.

Applicable Compliance Method(s)

Compliance with the visible emission limitation for the aggregate handling operation(s) identified above shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1,

1996, and the modifications listed in paragraphs (B)(3)(a) and (B)(3)(b) of OAC rule 3745-17-03.

- i. Emissions Limitation  
Fugitive PM emissions from aggregate material handling shall not exceed 12 tons/yr.

Applicable Compliance Method

Compliance shall be determined by calculations using the emission factor of 0.4 lb PM/ton of asphalt times 0.2 (80% control) times annual asphalt production.

- j. Emissions Limitation  
Fugitive PM10 emissions from aggregate material handling shall not exceed 1.2 tons/yr.

Applicable Compliance Method

Compliance shall be determined by calculations using the emission factor of 0.04 lb PM10/ton of asphalt from SCC 30500204 Cold Aggregate Handling times 0.2 (80% control) times annual asphalt production.

- k. Emissions Limitation  
SO2 emissions shall not exceed 25.6 TPY as a 12-month, rolling summation.

Applicable Compliance Method

Monitoring and record keeping of the fuel oil used as required in section C.8.

- l. Emissions Limitation  
CO emissions shall not exceed 60 TPY as a 12-month, rolling summation.

Applicable Compliance Method

Monitoring and recordkeeping of asphalt production as required in section C.2.

- m. Emissions Limitation  
VOC emissions shall not exceed 1.23 TPY as a 12-month, rolling summation.

Applicable Compliance Method

Monitoring and recordkeeping of asphalt production as required in section C.2.

- n. Emissions Limitation  
NOx emissions shall not exceed 3.75 TPY as a 12-month, rolling summation.

Applicable Compliance Method

Monitoring and recordkeeping of asphalt production as required in section C.2.

- o. Emissions Limitation

Stack PM/PM10 emissions shall not exceed 25.6 TPY as a 12-month, rolling summation.

Applicable Compliance Method

Monitoring and recordkeeping of hours of operation as required in section C.1.

3. Compliance with the operational limitations of this permit shall be determined in accordance with the following methods:
  - a. **Operational Limitation:**  
The maximum annual operating hours for this emissions unit shall not exceed 2,060 hrs, based upon a rolling, 12-month summation of the operating hours.

Applicable Compliance Method

Compliance shall be achieved based on the monitoring and recordkeeping as specified in section C.1.

b. Operational Limitation:

The maximum annual asphalt production for this emissions unit shall not exceed 300,000 tons per year based upon a rolling, 12-month summation of the production rates.

Applicable Compliance Method

Compliance shall be achieved based on the monitoring and recordkeeping as specified in section C.2.

c. Operational Limitation:

Fuel Usage:

The permittee shall combust, in this emissions unit, only natural gas or #2 fuel oil with no more than 0.5% sulfur content, by weight.

Applicable Compliance Method

Compliance shall be achieved based on the monitoring and recordkeeping as specified in section C.8.

## F. Miscellaneous Requirements

1. Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p)(i), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a permit to install (PTI) providing the following criteria are met:
  - a. the portable emissions unit is equipped with the best available control technology for such portable emissions unit;
  - b. the portable emissions unit is operating pursuant to a currently effective PTI, permit to operate (PTO) or registration status;
  - c. the applicant has provided proper notice of intent to relocate the portable emissions unit to the Canton local air agency and the appropriate field office having jurisdiction over the new site within a minimum of thirty days prior to the scheduled relocation; and
  - d. in the Canton local air agency's and the appropriate field office's judgment, the proposed site is acceptable under the rule 3745-15-07 of the Administrative Code.
2. In the alternative, pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a PTI providing the following criteria of OAC rule 3745-31-05(F) are met:

- a. the portable emissions unit permittee possesses an Ohio EPA PTI, PTO or registration status;
  - b. the portable emissions unit is equipped with best available technology;
  - c. the portable emissions unit owner has identified the proposed site to Ohio EPA;
  - d. Ohio EPA has determined that the portable emissions unit, at the proposed site, will have an acceptable environmental impact;
  - e. a public notice, consistent with Chapter 3745-47 of the Administrative Code, is published in the county where the proposed site is located;
  - f. the owner of the proposed site has provided the portable emissions unit owner with approval or equivalent declaration that it is acceptable to the site owner to move the portable emissions unit to the proposed site; and
  - g. the portable emissions unit owner has provided the Ohio EPA with fifteen days' written notice of the relocation.
3. Any site approvals issued by the Ohio EPA, pursuant to F.2. above, shall be valid for no longer than three years and are subject to renewal.

In order for the Canton local air agency and the appropriate field office having jurisdiction over the new site to determine compliance with all of the above criteria, the owner or operator of the portable or mobile emissions unit must file a "Notice of Intent to Relocate", within the specified time frame (30 or 15 days) prior to the relocation of the emissions unit with the Canton local air agency and the appropriate office having jurisdiction over the new site. Upon receipt of the notice, the Canton local air agency and/or the appropriate field office having jurisdiction over the new site will evaluate the request in accordance with the above criteria.

Failure to submit said notification and to receive Ohio EPA approval prior to relocation of the emissions unit may result in fines and civil penalties.

4. This source is subject to the applicable provisions of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60.

The application and enforcement of these standards are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.

Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:

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**JandD Mining Inc**

**PTI Application: 15-01717**

**Modification Issued: 6/5/2008**

**Facility ID: 1576001809**

**Emissions Unit ID: P901**

**JandD Mining Inc**

**PTI Application: 15-01717**

**Modification Issued: 6/5/2008**

**Facility ID: 1576001809**

**Emissions Unit ID: P901**

- a. construction date (no later than 30 days after such date);
- b. anticipated start-up date (not more than 60 days nor less than 30 days prior to such date);
- c. actual start-up date (within 15 days after such date); and
- d. date of performance testing (Required, at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency  
DAPC - Permit Management Unit  
Lazarus Government Center  
P.O. Box 1049  
Columbus, OH 43216-1049

and

Canton City Health Department  
Air Pollution Control Division  
420 Market Avenue N.  
Canton, OH 44702-1544

5. The following terms and conditions of this permit are federally enforceable: A, B, C, D and E.
6. Modeling to demonstrate compliance with the Ohio EPA's "Air Toxic Policy" was not necessary because the emissions unit's maximum annual emissions for each toxic compound will be less than 1.0 ton. OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by OAC rule 3745-31-01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any pollutant that has a listed TLV to increase to above 1.0 ton per year may.