



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

MORROW COUNTY

Application No: 01-12041

Fac ID: 0159000154

DATE: 8/7/2007

Washington Environmental Ltd
Kitt Cooper
35 East Livingston Avenue
Columbus, OH 43215

CERTIFIED MAIL

	TOXIC REVIEW
	PSD
	SYNTHETIC MINOR
	CEMS
	MACT
	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

CDO



Permit To Install
Terms and Conditions

Issue Date: 8/7/2007
Effective Date: 8/7/2007

FINAL PERMIT TO INSTALL 01-12041

Application Number: 01-12041
Facility ID: 0159000154
Permit Fee: **\$200**
Name of Facility: Washington Environmental Ltd
Person to Contact: Kitt Cooper
Address: 35 East Livingston Avenue
Columbus, OH 43215

Location of proposed air contaminant source(s) [emissions unit(s)]:
St Rte 61 and County Rd 29
Edison, Ohio

Description of proposed emissions unit(s):
Material handling.

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. 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>
PE	0.19

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 - (F004) -Railcar unloading operations, including the removal of construction and demolition debris (CDD) material from rail cars and transfer of such material to trucks

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-02(A)	No visible particulate emissions except for three minutes during any 60-minute period from building egress points. Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. See Additional Terms and Conditions A.2.c through A.2.d.
OAC rule 3745-17-07(B)(1)	This rule is not applicable to this facility. See A.2.a below.
OAC rule 3745-17-08(B)	This rule is not applicable to this facility. See A.2.a below.
ORC rule 3704.03(T)(4)	See A.2.d below.

2. Additional Terms and Conditions

- 2.a This facility is not located in an Appendix A area.
- 2.b All material handling from the railcar unloading operation is covered by this permit and subject to the above-mentioned requirements.
- 2.c The permittee shall employ best available control measures on all load-in and load-out operations associated with material handling for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee’s permit application, the permittee has committed to the following:
 1. all railcar unloading/loading operations shall be contained within a permanent structure;

2. plastic sheeting shall be used as dust inhibitors across all truck or railcar doorways;
3. all untarpping/tarpping of open beds shall occur within the structure;
4. employ water spray bars at the railcar unloading point and truck loading point and at the end of each conveyor belt within the process to ensure compliance; and
5. minimize the free fall distance of the processed material.
6. The permittee shall keep the mandors closed when this facility is in operation.

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

- 2.d The Best Available Technology (BAT) requirements under 3745-31-05(A)(3) do not apply to the particulate emissions from this air contaminant source since the uncontrolled potential to emit for particulate emissions is less than ten tons per year.
- 2.e The permittee shall not accept pulverized debris as defined in ORC 3714.01(I).

B. Operational Restrictions

1. The facility shall not accept for disposal any regulated asbestos-containing material as defined in the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Asbestos, 40 CFR Part 61, Subpart M, Section 141 and OAC rule 3745-20, or any subsequent revisions to either rule. Regulated asbestos-containing material is defined to include:
 - a. friable asbestos material;
 - b. Category I nonfriable asbestos-containing material that has become friable;
 - c. Category I nonfriable asbestos-containing material that will be or has been subjected to sanding, grinding, cutting, or abrading; or
 - d. Category II nonfriable asbestos-containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this subpart.

In addition, this facility shall not accept any Category II nonfriable asbestos-containing material. For asbestos materials, the permittee shall be limited to accepting Category I nonfriable asbestos-containing material that has not or will not be subjected to sanding, grinding, cutting, or abrading. The permittee shall ensure that any Category I nonfriable asbestos-containing material which has not or will not be subjected to sanding, grinding, cutting, or abrading shall not become friable during processing at the landfill. Any

asbestos- containing material that is friable or becomes friable is subject to the asbestos NESHAP regulation. If any asbestos material arrives at the landfill from an unregulated residence and meets the description of regulated asbestos-containing material as described in (a) through (d) above, the landfill shall:

- a. cause or permit no visible emissions to the outside air from the asbestos-containing waste materials during on-site transportation, transfer, deposition or compacting operations;
 - b. assure that deposition and burial operations be conducted in a manner which prevents handling by equipment or persons that causes asbestos-containing waste materials to be broken-up or dispersed before the materials are buried;
 - c. cover the asbestos-containing waste material with at least twelve inches of nonasbestos-containing material, as soon as practicable after deposition, but no later than at the end of the operating day; and
 - d. assure that during the unloading, deposition, burial and initial compaction of asbestos-containing waste materials, the disposal site is restricted adequately to deter unauthorized entry of the general public and any unauthorized personnel to within one hundred feet of the operations.
2. This facility shall be limited to accepting for disposal only C&DD material as defined in Ohio Revised Code 3714.01(C), except as provided by Ohio Revised Code 3714.021.
 3. This facility shall be limited to accepting no more than 624,000 tons of C & DD waste materials per calendar year.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible emissions of fugitive dust resulting from unloading operations. The presence or absence of any visible emissions of fugitive dust shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
 - a. the color of the emissions;
 - b. whether the emissions are representative of normal operations;

- c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
 - d. the total duration of any visible emission incident; and
 - e. any corrective actions taken to eliminate the visible emissions.
2. The permittee shall record the amount of C&DD waste accepted for the purpose of determining the amount of annual waste accepted.
3. The permittee shall install a digital video camera system to visually monitor all debris and waste materials accepted for unloading at the facility. Cameras shall be of sufficient quality, and of sufficient numbers and locations to give an observer of the recorded images an accurate representation of the waste and debris accepted. Cameras shall be operated and images recorded at all times that waste and debris is being unloaded at the facility. Recorded images shall be kept for a minimum of ninety (90) days and made available to the director or his authorized representative of the director upon request by the director or his authorized representative.

The camera system shall allow an observer to determine the date and time an image was recorded, and shall allow for both on-site viewing of the recorded images on a screen of fifteen-inches or larger diagonal size and allow for electronic (CD, DVD, e-mail etc.) copies to be made of the recorded images. Upon request by the director or his authorized representative, the permittee shall provide to the director or his authorized representative, as expeditiously as possible, a copy of the recorded images. The camera system and modifications to the system shall be subject to approval by the director.

D. Reporting Requirements

1. The permittee shall submit quarterly written reports that (a) identify all days during which any visible emissions of fugitive dust from non-asbestos-containing materials were observed from unloading operations involving this emissions unit unloading, covering, and (b) describe any corrective actions taken to eliminate the visible emissions. These reports shall be submitted to the director (the Central District Office) by January 31, April 30, July 31 and October 31 and shall cover the previous calendar quarters.
2. The permittee shall submit annual reports that identify any exceedances of the 624,000 ton per year C & DD material limitation. These reports shall be submitted by January 31 of each year.
3. The permittee shall report to the director or his authorized representative (Central District Office), by telephone, electronic mail, or otherwise, as expeditiously as possible, and at a minimum within 12 hours of discovery, the arrival at the transfer station of pulverized debris for unloading.

E. Testing Requirements

1. Emissions Limitation:
No visible emissions except for three minutes from building egress points.

Applicable Compliance Method:

Compliance with the visible emission limitations shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

F. Miscellaneous Requirements

None