



Environmental Protection Agency

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

12/7/2011

ROBERT CORNER
HILLTOP BASIC RESOURCES, INC.
1 W 4TH STREET
SUITE 1100
CINCINNATI, OH 45202

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 0708000072
Permit Number: P0108927
Permit Type: OAC Chapter 3745-31 Modification
County: Brown

Certified Mail

No	TOXIC REVIEW
No	PSD
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT/GACT
No	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED
No	SYNTHETIC MINOR TO AVOID TITLE V
No	FEDERALLY ENFORCABLE PTIO (FEPTIO)
No	SYNTHETIC MINOR TO AVOID MAJOR GHG

Dear Permit Holder:

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

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

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

If you have any questions, please contact Portsmouth City Health Dept., Air Pollution Unit at (740)353-5156 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. This permit can be accessed electronically on the DAPC Web page, www.epa.ohio.gov/dapc, by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

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

Cc: Portsmouth



FINAL

**Division of Air Pollution Control
Permit-to-Install and Operate
for
HILLTOP BASIC RESOURCES, INC.**

Facility ID:	0708000072
Permit Number:	P0108927
Permit Type:	OAC Chapter 3745-31 Modification
Issued:	12/7/2011
Effective:	12/7/2011
Expiration:	4/19/2021



Division of Air Pollution Control
Permit-to-Install and Operate
for
HILLTOP BASIC RESOURCES, INC.

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Authorization

Facility ID: 0708000072
Application Number(s): A0043005, A0043086
Permit Number: P0108927
Permit Description: Ch.31 modification to allow Hilltop Basic Resources to unload coal at their concrete batch plant facility.
Permit Type: OAC Chapter 3745-31 Modification
Permit Fee: \$1,650.00
Issue Date: 12/7/2011
Effective Date: 12/7/2011
Expiration Date: 4/19/2021
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

HILLTOP BASIC RESOURCES, INC.
8030 US RTE 52 W
Aberdeen, OH 45101

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

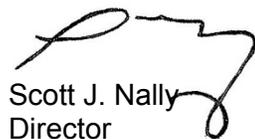
Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Portsmouth City Health Dept., Air Pollution Unit
605 Washington Street
3rd Floor
Portsmouth, OH 45662
(740)353-5156

The above named entity is hereby granted this Permit-to-Install and Operate for the air contaminant source(s) (emissions unit(s)) listed in this section pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this permit does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the described emissions unit(s) will operate in compliance with applicable State and federal laws and regulations.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency


Scott J. Nally
Director



Authorization (continued)

Permit Number: P0108927
Permit Description: Ch.31 modification to allow Hilltop Basic Resources to unload coal at their concrete batch plant facility.

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

Emissions Unit ID:	F001
Company Equipment ID:	Material Handling Operations
Superseded Permit Number:	P0091250
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F002
Company Equipment ID:	Storage Piles
Superseded Permit Number:	P0091250
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F003
Company Equipment ID:	Unpaved roadways and parking areas
Superseded Permit Number:	P0091250
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. What does this permit-to-install and operate ("PTIO") allow me to do?

This permit allows you to install and operate the emissions unit(s) identified in this PTIO. You must install and operate the unit(s) in accordance with the application you submitted and all the terms and conditions contained in this PTIO, including emission limits and those terms that ensure compliance with the emission limits (for example, operating, recordkeeping and monitoring requirements).

2. Who is responsible for complying with this permit?

The person identified on the "Authorization" page, above, is responsible for complying with this permit until the permit is revoked, terminated, or transferred. "Person" means a person, firm, corporation, association, or partnership. The words "you," "your," or "permittee" refer to the "person" identified on the "Authorization" page above.

The permit applies only to the emissions unit(s) identified in the permit. If you install or modify any other equipment that requires an air permit, you must apply for an additional PTIO(s) for these sources.

3. What records must I keep under this permit?

You must keep all records required by this permit, including monitoring data, test results, strip-chart recordings, calibration data, maintenance records, and any other record required by this permit for five years from the date the record was created. You can keep these records electronically, provided they can be made available to Ohio EPA during an inspection at the facility. Failure to make requested records available to Ohio EPA upon request is a violation of this permit requirement.

4. What are my permit fees and when do I pay them?

There are two fees associated with permitted air contaminant sources in Ohio:

- PTIO fee. This one-time fee is based on a fee schedule in accordance with Ohio Revised Code (ORC) section 3745.11, or based on a time and materials charge for permit application review and permit processing if required by the Director.

You will be sent an invoice for this fee after you receive this PTIO and payment is due within 30 days of the invoice date. You are required to pay the fee for this PTIO even if you do not install or modify your operations as authorized by this permit.

- Annual emissions fee. Ohio EPA will assess a separate fee based on the total annual emissions from your facility. You self-report your emissions in accordance with Ohio Administrative Code (OAC) Chapter 3745-78. This fee assessed is based on a fee schedule in ORC section 3745.11 and funds Ohio EPA's permit compliance oversight activities. Unless otherwise specified, facilities subject to one or more synthetic minor restrictions must use Ohio EPA's "Air Services" to submit annual emissions associated with this permit requirement. Ohio EPA will notify you when it is time to report your emissions and to pay your annual emission fees.

5. When does my PTIO expire, and when do I need to submit my renewal application?

This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a renewal notice to you approximately six months prior to the expiration date of this permit. However, it is

very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

If a complete renewal application is submitted before the expiration date, Ohio EPA considers this a timely application for purposes of ORC section 119.06, and you are authorized to continue operating the emissions unit(s) covered by this permit beyond the expiration date of this permit until final action is taken by Ohio EPA on the renewal application.

6. What happens to this permit if my project is delayed or I do not install or modify my source?

This PTIO expires 18 months after the issue date identified on the "Authorization" page above unless otherwise specified if you have not (1) started constructing the new or modified emission sources identified in this permit, or (2) entered into a binding contract to undertake such construction. This deadline can be extended by up to 12 months, provided you apply to Ohio EPA for this extension within a reasonable time before the 18-month period has ended and you can show good cause for any such extension.

7. What reports must I submit under this permit?

An annual permit evaluation report (PER) is required in addition to any malfunction reporting required by OAC rule 3745-15-06 or other specific rule-based reporting requirement identified in this permit. Your PER due date is identified in the Authorization section of this permit.

8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit?

If you are required to obtain a Title V permit under OAC Chapter 3745-77 in the future, the permit-to-operate portion of this permit will be superseded by the issued Title V permit. From the effective date of the Title V permit forward, this PTIO will effectively become a PTI (permit-to-install) in accordance with OAC rule 3745-31-02(B). The following terms and conditions will no longer be applicable after issuance of the Title V permit: Section B, Term 1.b) and Section C, for each emissions unit, Term a)(2).

The PER requirements in this permit remain effective until the date the Title V permit is issued and is effective, and cease to apply after the effective date of the Title V permit. The final PER obligation will cover operations up to the effective date of the Title V permit and must be submitted on or before the submission deadline identified in this permit on the last day prior to the effective date of the Title V permit.

9. What are my obligations when I perform scheduled maintenance on air pollution control equipment?

You must perform scheduled maintenance of air pollution control equipment in accordance with OAC rule 3745-15-06(A). If scheduled maintenance requires shutting down or bypassing any air pollution control equipment, you must also shut down the emissions unit(s) served by the air pollution control equipment during maintenance, unless the conditions of OAC rule 3745-15-06(A)(3) are met. Any emissions that exceed permitted amount(s) under this permit (unless specifically exempted by rule) must be reported as deviations in the annual permit evaluation report (PER), including nonexempt excess emissions that occur during approved scheduled maintenance.

10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?

If you have a reportable malfunction of any emissions unit(s) or any associated air pollution control system, you must report this to the Portsmouth City Health Dept., Air Pollution Unit in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

If you have a malfunction, but determine that it is not a reportable malfunction under OAC rule 3745-15-06(B), it is recommended that you maintain records associated with control equipment breakdown or process upsets. Although it is not a requirement of this permit, Ohio EPA recommends that you maintain records for non-reportable malfunctions.

11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located?

Yes. Under Ohio law, the Director or his authorized representative may inspect the facility, conduct tests, examine records or reports to determine compliance with air pollution laws and regulations and the terms and conditions of this permit. You must provide, within a reasonable time, any information Ohio EPA requests either verbally or in writing.

12. What happens if one or more emissions units operated under this permit is/are shut down permanently?

Ohio EPA can terminate the permit terms associated with any permanently shut down emissions unit. "Shut down" means the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31.

You should notify Ohio EPA of any emissions unit that is permanently shut down by submitting¹ a certification that identifies the date on which the emissions unit was permanently shut down. The certification must be submitted by an authorized official from the facility. You cannot continue to operate an emissions unit once the certification has been submitted to Ohio EPA by the authorized official.

You must comply with all recordkeeping and reporting for any permanently shut down emissions unit in accordance with the provisions of the permit, regulations or laws that were enforceable during the period of operation, such as the requirement to submit a PER, air fee emission report, or malfunction report. You must also keep all records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, for at least five years from the date the record was generated.

Again, you cannot resume operation of any emissions unit certified by the authorized official as being permanently shut down without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

¹Permittees that use Ohio EPA's "Air Services" can mark the affected emissions unit(s) as "permanently shutdown" in the facility profile along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).

13. Can I transfer this permit to a new owner or operator?

You can transfer this permit to a new owner or operator. If you transfer the permit, you must follow the procedures in OAC Chapter 3745-31, including notifying Ohio EPA or the local air agency of the change in ownership or operator. Any transferee of this permit must assume the responsibilities of the transferor permit holder.

14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"?

This permit and OAC rule 3745-15-07 prohibit operation of the air contaminant source(s) regulated under this permit in a manner that causes a nuisance. Ohio EPA can require additional controls or modification of the requirements of this permit through enforcement orders or judicial enforcement action if, upon investigation, Ohio EPA determines existing operations are causing a nuisance.

15. What happens if a portion of this permit is determined to be invalid?

If a portion of this permit is determined to be invalid, the remainder of the terms and conditions remain valid and enforceable. The exception is where the enforceability of terms and conditions are dependent on the term or condition that was declared invalid.

B. Facility-Wide Terms and Conditions

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).
 - a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.
 - (1) None.
 - b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.
 - (1) None.

C. Emissions Unit Terms and Conditions



1. F001, Material Handling Operations

Operations, Property and/or Equipment Description:

Material Handling Operations, Sand, Gravel, and Coal.

Chapter 31 modification to allow unloading of coal.

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OACrule3745-31-05(A)(3), as effective 11/30/01	Particulate Matter (PE) emissions shall not exceed 15.62 pounds per hour and 4.25 tons per year. Particulate Matter less than 10 microns (PM10) emissions shall not exceed 7.90 pounds per hour and 2.75tons per year. Visible particulate emissions shall not exceed 20 percent opacity as a three minuteaverage. See b)(2)a and b)(2)d through g.
b.	OAC paragraph 3745-31-05(A)(3), as effective 12/01/06	See b)(2)b.
c.	OAC paragraph 3745-31-05(E), as effective 12/01/06	See b)(2)c.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC paragraph 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) or OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulations for NAAQS pollutant less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of 3745-31-05, then these emission limits/control measures no longer apply.
- b. The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the this emissions unit since the PE limit of 4.25 tpy and PM10 limit of 2.75 are both less than 10 tpy.
- c. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

Permit to Install P0108927 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):

- i. Restricting the annual amount of gravel received to 100,000 tpy.
 - ii. Restricting the annual amount of sand received to 150,000 tpy.
 - iii. Restricting the annual amount of coal received to 2,592,000 tpy.
 - iv. The use of water spray as needed
- d. The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:

Barge to Conveyor(C3)
C3 to Hopper(H1)
H1 to Conveyor(C2)
C2 to Conveyor(C1)
Stacker 1 to Stockpile 1 (coal)
 - e. The permittee shall employ best available control measures for the above-identified material handling operation(s) 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 minimize the drop height at all transfer points to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- f. For each material handling operation that is not adequately enclosed, additional 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.
- g. Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

c) Operational Restrictions

- (1) The maximum amount of sand received shall not exceed 150,000 tons per year and the maximum amount of gravel received shall not exceed 100,000 tons per year.
- (2) The maximum annual coal received shall not exceed 2,592,000 tons based upon a rolling, 12-month summation of coal received.

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

<u>Month(s)</u>	<u>Maximum Allowable coal received in tons</u>
1	250,000 tons
1-2	500,000 tons
1-3	750,000 tons
1-4	1,000,000 tons
1-5	1,250,000 tons
1-6	1,500,000 tons
1-7	1,750,000 tons
1-8	2,000,000 tons
1-9	2,200,000 tons
1-10	2,400,000 tons
1-11	2,500,000 tons
1-12	2,592,000 tons

After the first 12 calendar months of operation or the first 12 calendar months following the issuance of this permit, compliance with the annual coal received limitation shall be based upon a rolling, 12- month summation of the coal received in tons.

d) Monitoring and/or Recordkeeping Requirements

- (1) Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

- (2) The reports required by this permit may be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal; or they may be mailed as a hard copy to the appropriate district office or local air agency.

f) Testing Requirements

- (1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emission Limitation:

15.62 pounds per hour of PE

Applicable Compliance Method:

Compliance with these emission limitations shall be determined by the sum of the following calculation for each material received (i. sand, ii gravel, iii coal):

- i. Sand (PE) $EF=0.0014 \text{ lb/ton}$ times the maximum rate 800 tons/hr times the number of transfer points 4 = 4.576. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.
- ii. Gravel (PE) $EF = 0.0029 \text{ lb/ton}$ times the maximum rate of 800 tons/hr times the number of transfer points 4= 9.356. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.
- iii. Coal (PE) $EF=0.0010 \text{ lb/ton}$ times the maximum rate 675 tons/hr times the number of transfer points 5=3.375 times the control efficiency (1-0.5) for water spray =1.69. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.

b. Emission Limitations:

4.25 tons/year of fugitive PE

Applicable Compliance Method:

Compliance with these emissions limitations shall be determined by the sum of the following calculation for each material received (i. sand, ii gravel, iii coal):

- i. Sand (PE) $EF=0.0014 \text{ lb/ton}$ times the restricted annual throughput of 150,000 tons per year divided by 2000 pounds times the number of transfer points 4= 0.43. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.
- ii. Gravel (PE) $EF=0.0029 \text{ lb/ton}$ times the restricted annual throughput of 100,000 tons per year divided by 2000 pounds times the number of transfer points 4= 0.58. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.

- iii. Coal (PE) $EF=0.0010$ lb/ton times the restricted annual throughput of 2,592,000 tons per year divided by 2000 pounds times the number of transfer points $5=6.48$ times the control efficiency (1-0.5) for water spray $=3.24$. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.

c. Emission Limitation:

7.90 pounds per hour of PM10

Applicable Compliance Method:

Compliance with these emission limitations shall be determined by the sum of the following calculation for each material received (i. sand, ii gravel, iii coal):

- i. Sand (PM10) $EF=0.0007$ lb/ton times the maximum rate 800 tons/hr times the number of transfer points $4= 2.24$. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.
- ii. Gravel (PM10) $EF = 0.0014$ lb/ton times the maximum rate of 800 tons/hr times the number of transfer points $4= 4.48$. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.
- iii. Coal (PE) $EF=0.0007$ lb/ton times the maximum rate 675 tons/hr times the number of transfer points $5=2.37$ times the control efficiency (1-0.5) for water spray $=1.18$. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.

d. Emission Limitations:

2.75 tons/year of fugitive PM10

Applicable Compliance Method:

Compliance with these emissions limitations shall be determined by the sum of the following calculation for each material received (i. sand, ii. gravel, iii. coal):

- i. Sand (PM10) $EF=0.0007$ lb/ton times the restricted annual throughput of 150,000 tons per year divided by 2000 pounds times the number of transfer points $4= 0.20$. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.
- ii. Gravel (PE) $EF=0.0014$ lb/ton times the restricted annual throughput of 100,000 tons per year divided by 2000 pounds times the number of transfer points $4= 0.28$. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.
- iii. Coal (PE) $EF=0.0007$ lb/ton times the restricted annual throughput of 2,592,000 tons per year divided by 2000 pounds times the number of transfer points $5=4.54$ times the control efficiency (1-0.5) for water spray $=2.27$. Emission factor calculated in accordance with AP-42, Chapter 13, Section 13.2.4, dated 01/95.

e. Emission Limitation:

Visible emissions of fugitive dust shall not exceed 20 percent opacity as a three-minute average.

Applicable Compliance Method:

If required, compliance with the visible PE limitations for the material handling operations identified above 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").

g) Miscellaneous Requirements

(1) None.



2. F002, Storage Piles

Operations, Property and/or Equipment Description:

Aggregate Storage Piles (sand, gravel, coal) -Plant load-in, load-out, and wind erosion.

Chapter 31 modification to allow unloading of coal.

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OACrule3745-31-05(A)(3)	Fugitive particulate emissions (PE) shall not exceed 12.33 tons per year. Fugitive particulate emissions of ten microns or less (PM10) shall not exceed 7.3 tons/year. No visible PE except for one minute during any 60-minute period. best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust. See b)(2)a.through f.

- (2) Additional Terms and Conditions
- a. The storage piles that are covered by this permit and subject to the requirements of OAC rule 3745-31-05 are listed below:

sand, gravel, and coal.
 - b. The permittee shall employ best available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned requirements. In accordance with the permittee's application, the permittee has committed to use precautionary operating practices by maintaining a low pile height as possible to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
 - c. The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring and recordkeeping section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
 - d. The permittee shall employ best available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's application, the permittee has committed to use precautionary operating practices by maintaining a low pile height as possible to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
 - e. The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.
 - f. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05(A)(3).
- c) Operational Restrictions
- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-in inspection frequency</u>
all	daily

- (2) Except as otherwise provided in this section, the permittee shall perform inspections of each load-out operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-out inspection frequency</u>
all	daily

- (3) Except as otherwise provided in this section, the permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum wind erosion inspection frequency</u>
all	daily

- (4) No inspection shall be necessary for wind erosion from the surface of a storage pile when the pile is covered with snow and/or ice and for any storage pile activity if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

- (5) The purpose of the inspections is to determine the need for implementing the control measures specified in this permit for load-in and load-out of a storage pile, and wind erosion from the surface of a storage pile. The inspections shall be performed during representative, normal storage pile operating conditions.

- (6) The permittee shall maintain records of the following information:

- a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
- b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
- c. the dates the control measures were implemented; and
- d. on a calendar quarter basis, the total number of days the control measures were implemented and, for wind erosion from pile surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).



- (7) The information required in d)(6)d. shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (iii) the pile surfaces (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.
- (2) The reports required by this permit may be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal; or they may be mailed as a hard copy to the appropriate district office or local air agency.

f) Testing Requirements

- (1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emissions Limitations:

12.33 tons/year of fugitive PE

7.3 tons/year of fugitive PM10

Applicable Compliance Method:

Compliance with fugitive PE and PM10 limitations shall be determined by using the emission factor equations in Sections 13.2.4 and 13.2.5, in Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 1/95), for load-in operations, load-out operations, and wind erosion and the summation of i through iii below.

*The calculated emission factors are:

loadin/loadout:

PM(aggregate) = 0.003 lb/ton
 PM (coal) = 0.001 lb/ton
 PM(sand) = 0.001 lb/ton
 PM10(aggregate, coal, sand) = 0.001 lb/ton

wind erosion: PM (sand, aggregate) = 4.533 lb/acre/day
 PM10(sand, aggregate) = 4.533 lb/acre/day
 PM (coal) = 6.51lb/acre/day
 PM10 (coal) = 6.51lb/acre/day

- i. Load-in emissions were established by multiplying the maximum load in rate (800 tons/hr for sand and aggregate and 675 tons/hr for coal) by the appropriate emission factor *(lb/ton), by 50% control efficiency for using water spray and precautionary operating practices (RACM, Table 2.1.1-8), by 8760 hrs/yr and dividing by 2000 lbs/ton.
- ii. Load-out emissions were established by multiplying the maximum load out rate (800 tons/hr for sand and aggregate and 675 tons/hr for coal) by the appropriate emission factor *(lb/ton), by 30% control efficiency for using precautionary operating practices (RACM, Table 2.1.1-8), by 8760 hrs/yr and dividing by 2000 lbs/ton.
- iii. Wind erosion emissions were established by multiplying the surface area of each storage pile (acres), by the appropriate emission factor* lbs/acre/day, by 30% control efficiency for using precautionary operating practices (RACM, Table 2.1.1-8), by 365 days/yr and dividing by 2000 lbs/ton.

b. Emission Limitation:

No visible particulate emissions except for one minute during any 60-minute period.

Applicable Compliance Method:

If required, compliance with the visible PE limitations for the storage piles identified above 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").

g) Miscellaneous Requirements

- (1) None.



3. F003, Unpaved roadways and parking areas

Operations, Property and/or Equipment Description:

Unpaved plant roadways and parking areas.

Chapter 31 modification to allow unloading and transporting coal.

a) This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

(1) For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.

a. None.

(2) For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Fugitive particulate (PE) emissions shall not exceed 3.42 tons per year Fugitive particulate emissions of ten microns or less (PM10) shall not exceed 1.85 tons per year No visible PE except for 3 minutes during any 60-minute period best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust See b)(2)a. and b)(2) c. through i.
b.	OAC paragraph 3745-31-05(A)(3), as effective 12/01/06	See b)(2)b.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC paragraph 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) or OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulations for NAAQS pollutant less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of 3745-31-05, then these emission limits/control measures no longer apply.

- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to the this emissions unit since the PE limit of 3.42tpy and PM10 limit of 1.85 are both less than 10 tpy.

- c. The unpaved roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

Unpaved roadways:

entrance road and loadout road

- d. The permittee shall employ best available control measures on all unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's application, the permittee has committed to treat the unpaved roadways and parking areas by vehicle speed reduction and watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- e. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for unpaved roadways and parking areas that are covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- f. The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.

- g. Any unpaved roadway or parking area that is subsequently paved, will require a General Permit for paved roadways and parking areas.
 - h. Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.
 - i. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.
- c) Operational Restrictions
- (1) None.
- d) Monitoring and/or Recordkeeping Requirements
- (1) Except as otherwise provided in this section, the permittee shall perform inspections of each of the roadway segments and parking areas in accordance with the following frequencies:

<u>unpaved roadways and parking areas</u>	<u>minimum inspection frequency</u>
all roads and parking areas	daily
 - (2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
 - (3) The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in d)(3)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.
- (2) The reports required by this permit may be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal; or they may be mailed as a hard copy to the appropriate district office or local air agency.

f) Testing Requirements

- (1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:
- (2) Compliance with the emission limitations in b)(1) of the terms and conditions of this permit shall be determined in accordance with the following methods:

a. Emission Limitations:

3.42 tons per year of fugitive PE

Applicable Compliance Method:

Multiply the vehicle miles traveled (VMT) per year on all unpaved roadways and parking areas by the 3.9 pounds/VMT emission factor for the entrance road and 5.08 pounds/VMT for the loadout road, (calculated in accordance with AP-42-13.2.1), divided by 2000 pounds/ton times the 70% control efficiency.

b. Emission Limitations:

1.85 tons/year of fugitive PM10

Applicable Compliance Method:

Multiply the vehicle miles traveled (VMT) per year on all unpaved roadways and parking areas by the 0.99 pounds/VMT emission factor for the entrance road and 1.39 pounds/VMT for the loadout road, (calculated in accordance with AP-42-13.2.1), divided by 2000 pounds/ton times the 70% control efficiency.

c. Emission Limitation:

No visible PE from unpaved roadways and parking areas except for a period of time not to exceed 3 minutes during any 60-minute observation period.



Applicable Compliance Method:

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

g) Miscellaneous Requirements

- (1) None.