



State of Ohio Environmental Protection Agency

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RE: FINAL PERMIT TO INSTALL MODIFICATION

CERTIFIED MAIL

SANDUSKY COUNTY

Application No: 03-17087

Fac ID: 0372000105

DATE: 12/18/2007

Vickery Environmental Inc.
Brett Miller
3956 State Route 412
Vickery, OH 43464

	TOXIC REVIEW
	PSD
	SYNTHETIC MINOR
	CEMS
	MACT
	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

NWDO



FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 03-17087

Application Number: 03-17087
Facility ID: 0372000105
Permit Fee: **\$500**
Name of Facility: Vickery Environmental Inc.
Person to Contact: Brett Miller
Address: 3956 State Route 412
Vickery, OH 43464

Location of proposed air contaminant source(s) [emissions unit(s)]:
3956 State Route 412
Vickery, Ohio

Description of proposed emissions unit(s):
Administrative modification to clarify that the waste the company receives shall not be more than 5 percent, by weight of OC that have the potential to be emitted from the facility scrubber.

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>
H ₂ SO ₄	0.44
HCl	2.63
NO _x	10.98
HNO ₃	13.14
OC	21.90

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.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
P001 - Hazardous waste receiving and treatment injection system (Administrative modification to PTI 03-17087, issued 3/6/07, to clarify language used to describe wastes the company receives in order to eliminate any future confusion to the terminology.) (Previous administrative modification to PTI #03-1430, issued on March 10, 1987 and PTI #03-3802, issued on August 24, 1988, to combine the truck unloading facility and associated tanks into one emission unit, to add NOx limits and to increase all other limits to reflect 8760 hours of operation per year)	OAC rule 3745-31-05(A)(3)	0.10 lb sulfuric acid (H ₂ SO ₄)/hr and 0.44 tons H ₂ SO ₄ /yr 0.6 lb hydrochloric acid (HCl)/hr and 2.63 tons HCl/yr 91.47 lbs nitrogen oxides (NO _x)/hr and 10.98 tons NO _x /yr 3.0 lbs nitric acid (HNO ₃)/hr and 13.14 tons HNO ₃ /yr 5.0 lbs organic compounds (OC)/hr and 21.90 tons OC/yr See A.2.a

2. Additional Terms and Conditions

- 2.a Best Available Technology (BAT) for this emissions unit has been determined to be the use of a wet scrubber and compliance with the terms and conditions of this permit.

B. Operational Restrictions

1. The company shall not receive waste containing more than 5%, by weight, of organic compounds that have the potential to be emitted from the facility scrubber.

2. The duration of NOx release events from this emissions unit shall not exceed 240 hours per year.
3. The permittee shall only accept waste loads contained on the waste stream list submitted under the May 22, 1984 Consent Decree (as required in Paragraph 38 under Section XVIII Waste Products Review), Prior to accepting a waste load from a waste stream not on the waste stream list indicated above, the permittee shall provide written notification to the Northwest District Office, Division of Air Pollution Control. Such notification shall include information, in an acceptable form, sufficient to determine that the proposed change in the materials will comply with the conditions of this permit for air contaminant sources and all other applicable Ohio EPA rules. Within ten working days, Ohio EPA will notify the permittee whether compliance has been demonstrated. If, the Division of Air Pollution Control determines acceptance of the proposed material will result in a "modification" as defined in OAC rule 3745-31-01, Ohio EPA will notify the permittee within ten working days that a Permit to Install is required to store the material. The permittee may not store the specific material until they have been notified that compliance has been demonstrated or upon receipt of the Permit to Install.
4. The unloading of nitric acid waste and blending of nitric acid wastes with other wastes received shall be done in accordance with procedures outlined in the permittee's submittal to Ohio EPA dated August 26, 1991 (and as modified thereafter). The permittee must obtain approval from the Northwest District Office, Division of Air Pollution Control for any changes made to the dedicated nitric acid system or procedures.

C. Monitoring and/or Recordkeeping Requirements

1. The company shall adhere to the waste analysis plan outlined in letters to Ohio EPA dated June 21, 1984 and August 23, 1984 (and as modified thereafter consistent with Ohio EPA regulations) for screening and analysis of incoming wastes to determine OC content that have the potential to be emitted from the facility scrubber. Records of all analyses performed in accordance with this requirement shall be maintained by the company. The record shall contain at a minimum:
 - a. Name of the company from which the material was received.
 - b. Address and location of the facility from which the material was received.
 - c. Date and amount of material received.
 - d. Description of material including chemical composition and OC content that have the potential to be emitted from the facility scrubber determined in accordance with the waste analysis plan.

2. The permittee shall collect and record the following information regarding NOx releases from this emissions unit:
 - a. the date, start and end times for each NOx release event;
 - b. the total duration, in hours, of each NOx release event;
 - c. the total duration, in hours, for all NOx release events to date for the calendar year.
3. The permittee shall properly install, operate, and maintain equipment to continuously monitor and record the pressure drop, in inches of water, across the scrubber, scrubber water flow rate, in gallons per minute and the pH of the scrubber liquor, during operation of this emissions unit. 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, in inches of water, across the scrubber, the scrubber water flow rate, in gallons per minute and the pH of the scrubber liquor, on daily basis.

Whenever the monitored range/value for the pressure drop, water flow rate and/or the pH deviates from the range/value specified below, the permittee shall promptly investigate the cause of the deviation. The permittee shall maintain records of the following information for each investigation: the date and time the deviation began and the magnitude of the deviation at that time, the date(s) the investigation was conducted, the names of the personnel who conducted the investigation, and the findings and recommendations.

In response to each required investigation to determine the cause of a deviation, the permittee shall take prompt corrective action to bring the operation of the control equipment within the acceptable range specified below, unless the permittee determines that corrective action is not necessary and documents the reasons for that determination and the date and time the deviation ended. The permittee shall maintain records of the following information for each corrective action taken: a description of the corrective action, the date it was completed, the date and time the deviation ended, the total period of time (in minutes) during which there was a deviation, the pressure drop immediately after the corrective action, and the names of the personnel who performed the work. Investigation and records required by this paragraph does not eliminate the need to comply with the requirements of OAC rule 3745-15-06 if it is determined that a malfunction has occurred.

The pressure drop across the scrubber shall be continuously maintained within the range of 2 to 13 inches of water at all times while the emissions unit is in operation.

The scrubber water flow rate shall be continuously maintained at a value of not less than 250 gallons per minute at all times while the emissions unit is in operation.

The pH of the scrubber liquor shall be maintained within the range of 8 to 12 at all times while the emissions unit is in operation.

The range/values are effective for the duration of this permit, unless revisions are requested by the permittee and approved in writing by the appropriate Ohio EPA District Office or local air agency. The permittee may request revisions to the values based upon information obtained during future particulate emission tests that demonstrate compliance with the allowable particulate emission rate for this emissions unit. In addition, approved revisions to the values will not constitute a relaxation of the monitoring requirements of this permit and may be incorporated into this permit by means of an administrative modification.

D. Reporting Requirements

1. The permittee shall submit quarterly deviation (excursion) reports which identify any exceedances of the operational restriction that wastes received shall not contain more than 5%, by weight, of organic compounds that have the potential to be emitted from the facility scrubber. The deviation reports shall be submitted in accordance with the General Terms and Conditions of this permit.
2. The permittee shall submit reports that summarize the total annual duration (in hours) for all NO_x release events. These reports shall be submitted by January 31 of each year and shall cover the previous calendar year.
3. The permittee shall submit quarterly reports that identify the following information concerning the operation of the control equipment during the operation of this emissions unit:
 - a. each period of time when the pressure drop across the scrubber field, the scrubber water flow rate and/or the pH of the scrubber liquor was outside of the acceptable values;
 - b. an identification of each incident of deviation described in (a) where a prompt investigation was not conducted;
 - c. an identification of each incident of deviation described in (a) where prompt corrective action, that would bring the pressure drop and/or water flow rate into compliance with the acceptable value, was determined to be necessary and was not taken; and
 - d. an identification of each incident of deviation described in (a) where proper records were not maintained for the investigation and/or the corrective action.

These quarterly reports shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

E. Testing Requirements

1. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
 - a. The emission testing shall be conducted within 3 months after issuance of the permit.
 - b. The emission testing shall be conducted to demonstrate compliance with the allowable emission rates for OC, HCl, H₂SO₄ AND HNO₃.
 - c. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rates: for OC, Methods 18, 25 or 25A (as applicable) of 40 CFR, Part 60, Appendix A; for HCl, Method 26 or 26A of 40 CFR, Part 60, Appendix A; and for H₂SO₄, Method 8 of 40 CFR, Part 60, Appendix A.

Alternative U.S. EPA approved test methods may be used with prior approval from the Ohio EPA.

The permittee shall propose a test method to be employed for HNO₃. The proposed test method shall be included in the "Intent to Test" notification specified in E.1.e below. The proposed test method must be approved by Ohio EPA.

- d. The test(s) shall be conducted while the emissions unit is operating at its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.
- e. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).
- f. Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and

acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.

- g. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.
2. Compliance with the emission limitations specified in section A.1 of these terms and conditions shall be determined in accordance with the following methods:

- a. Emission Limitation: 0.10 lb H₂SO₄/hr and 0.44 tons H₂SO₄/yr

Applicable Compliance Method: The permittee shall demonstrate compliance with the hourly limitation by emissions testing conducted in accordance with Methods 1-4 and 8 of 40 CFR, Part 60, Appendix A (See E.1).

The tons/yr limitation was developed by multiplying the lbs/hr limitation by the maximum annual operating schedule of 8760 hrs/yr and dividing by 2000 lbs/ton. Therefore provided compliance is shown with the lbs/hr limitation, compliance with the tons/yr limitation will be assumed.

- b. Emission Limitation: 0.60 lb HCl/hr and 2.63 tons HCl/yr

Applicable Compliance Method: The permittee shall demonstrate compliance with the hourly limitation by emissions testing conducted in accordance with Methods 1-4 and 26 or 26A of 40 CFR, Part 60, Appendix A (See E.1).

The tons/yr limitation was developed by multiplying the lbs/hr limitation by the maximum annual operating schedule of 8760 hrs/yr and dividing by 2000 lbs/ton. Therefore provided compliance is shown with the lbs/hr limitation, compliance with the tons/yr limitation will be assumed.

- c. Emission Limitation: 91.47 lbs NO_x/hr and 10.98 tons NO_x/yr

Applicable Compliance Method: The hourly limitation was developed by converting 5000 ppm of NO_x with appropriate conversion factors and 2600 ft³/min.

The tons/yr limitation was developed by multiplying the lbs/hr limitation by the maximum hours of NO_x emissions (240 hrs/yr) and dividing by 2000 lbs/ton.

Therefore provided compliance is shown with the lbs/hr limitation and the maximum hours of NO_x emissions, compliance with the tons/yr limitation will be assumed.

- d. Emission Limitation: 3.0 lbs HNO₃/hr and 13.14 tons HNO₃/yr

Applicable Compliance Method: The permittee shall demonstrate compliance with the hourly limitation by emissions testing conducted in accordance with company's proposed method (See E.1).

The tons/yr limitation was developed by multiplying the lbs/hr limitation by the maximum annual operating schedule of 8760 hrs/yr and dividing by 2000 lbs/ton. Therefore provided compliance is shown with the lbs/hr limitation, compliance with the tons/yr limitation will be assumed.

- e. Emission Limitation: 5.0 lbs OC/hr and 21.90 tons OC/yr

Applicable Compliance Method: The permittee shall demonstrate compliance with the hourly limitation by emissions testing conducted in accordance with Methods 1-4 and 18, 25 or 25A (as applicable) of 40 CFR, Part 60, Appendix A (See E.1).

The tons/yr limitation was developed by multiplying the lbs/hr limitation by the maximum annual operating schedule of 8760 hrs/yr and dividing by 2000 lbs/ton. Therefore provided compliance is shown with the lbs/hr limitation, compliance with the tons/yr limitation will be assumed.

F. Miscellaneous Requirements

1. The terms and conditions of this permit shall supersede all of the air pollution control requirements contained in Permit to Install (PTI) #03-1430, which was issued on March 10, 1987 and PTI #03-3802, which was issued on August 24, 1988 for emission units P001, T036, T037, T038, T039, T040, T041, T042 and T043.