Ohio Environmental Protection Agency
John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

Certified Mail

3/14/2012

Dan Gennaro
Barrett Paving Materials Inc - Newtown
3751 Commerce Drive
Middletown, OH 45005

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

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL AND OPERATE
Facility ID: 1431341269
Permit Number: P0108692
Permit Type: OAC Chapter 3745-31 Modification
County: Hamilton

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 Southwest Ohio Air Quality Agency at (513)946-7777or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. This permit can be accessed electronically on the DAPCWeb page,www.epa.ohio.gov/dapc, by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

Michael W. Ahern

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

Cc: SWOAQA

Ohio | Environmental Protection Agency

FINAL

Division of Air Pollution Control
Permit-to-Install and Operate
for
Barrett Paving Materials Inc - Newtown

Facility ID:	1431341269
Permit Number:	P0108692
Permit Type:	OAC Chapter 3745-31 Modification
Issued:	3/14/2012
Effective:	3/14/2012
Expiration:	3/14/2017

Ohio Environmental Protection Agency

Division of Air Pollution Control
Permit-to-Install and Operate
for
Barrett Paving Materials Inc - Newtown

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Authorization

Facility ID: 1431341269
Application Number(s): A0042298
Permit Number: P0108692
Permit Description: Chapter 31 modification, 400 TPH asphalt plant to allow the use of shingles and slag as a raw material.
Permit Type: OAC Chapter 3745-31 Modification
Permit Fee: $1,250.00
Issue Date: 3/14/2012
Effective Date: 3/14/2012
Expiration Date: 3/14/2017
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

Barrett Paving Materials Inc - Newtown
7374 Main St
Newtown, OH 45244

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:

Southwest Ohio Air Quality Agency
250 William Howard Taft Rd.
Cincinnati, OH 45219
(513)946-7777

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: P0108692
Permit Description: Chapter 31 modification, 400 TPH asphalt plant to allow the use of shingles and slag as a raw material.

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

Emissions Unit ID:	**P901**
Company Equipment ID:	BPM 91-1 Newtown Drum
Superseded Permit Number:	P0099719
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 takenby 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 Southwest Ohio Air Quality Agency 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 submitting[1] 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.

[1]Permittees 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. P901, BPM 91-1 Newtown Drum

Operations, Property and/or Equipment Description:

400 Tons/hr Asphalt Drum Plant

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. d)(5) and d)6.

(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. b)(1)b., c)(2), d)(3), and e)(2).

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)	Particulate emissions (PE) from the fabric filter stack shall not exceed 13.2 pounds per hour when burning gas or oil. Particulate emissions 10 microns and less in diameter (PM10) from the fabric filter stack shall not exceed 9.2 pounds per hour when burning gas or oil. Fugitive PE shall not exceed 22.0 pounds per hour. Fugitive PM10 emissions shall not exceed 19.8 pounds per hour. Volatile organic compound (VOC) emissions from this emissions unit shall not exceed 17.6 pounds per hour when burning natural gas or oil.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		Nitrogen oxide (NOx) emissions from this emissions unit shall not exceed 22.0 pounds per hour when burning oil. Nitrogen oxide (NOx) emissions from this emissions unit shall not exceed 10.4 pounds per hour when burning natural gas. Carbon monoxide (CO) emissions shall not exceed 52.0 pounds per hour when burning natural gas or oil. See b)(2)b., b)(2)e., b)(2)f., c)(1), c)(3), c)(4), c)(5) and c)(7). The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-07(B), OAC rule 3745-17-08(B), 40 CFR Part 60, Subpart I, and OAC rule 3745-31-05(D), except for the SO2 emissions listed in OAC rule 3745-31-05(D).
b.	OAC rule 3745-31-05(D)	PE from the fabric filter stack shall not exceed 16.5 tons per year (TPY)*. Fugitive PE shall not exceed 27.5 TPY*. PM10 emissions from the fabric filter stack shall not exceed 11.5 TPY*. Fugitive PM10 emissions shall not exceed 24.75 TPY*. CO emissions shall not exceed 65.0 TPY*. SO2 emissions shall not exceed 53.99 TPY*. VOC emissions shall not exceed 22.0 TPY*. NOx emissions shall not exceed 27.5 TPY*.

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		* The TPY emission limitations are based upon a rolling, 12-month summation. See c)(2).
c.	40 CFR Part 60, Subpart I	0.04 grain PE per dry standard cubic foot of exhaust gases.
d.	OAC rule 3745-17-07(A)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
e.	OAC rule 3745-17-07(B)	Visible PE of fugitive dust shall not exceed 20 percent opacity, as a three-minute average.
f.	OAC rule 3745-17-08(B)	Use of adequate enclosures and sufficient draft to minimize or eliminate visible emissions of fugitive dust from the hot aggregate elevator, vibrating screens, and weigh hopper. The drop height of the front end loader bucket shall be minimized to the extent possible in order to minimize or eliminate visible emissions of fugitive dust from the elevator loading area. The aggregate loaded into the storage bins shall have a moisture content sufficient to eliminate the visible emissions of fugitive dust from the elevator and the transfer point to the dryer.
g.	OAC rule 3745-17-11(B)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
h.	OAC rule 3745-18-06(E)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to ORC 3704.03(T).
i.	ORC 3704.03(T) Chapter 31 modification for the increase of SO2 emissions only.	Sulfur dioxide (SO2) emissions shall not exceed 0.0034 pound per ton of asphalt produced, when burning natural gas and not using slag. SO2 emissions shall not exceed 0.058 pound per ton of asphalt produced when

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		burning on-spec used oil or Number 2 fuel oil and not using slag. SO2 emissions, while employing slag in the mix, shall not exceed 0.530 pound per ton of slag employed in addition to the emission limitation while burning any permitted fuel.

(2) Additional Terms and Conditions

a. Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by the emission limitations, production limitations and the use of a baghouse.

b. Visible particulate emissions from any stack associated with emissions unit P901 shall not exceed 10% opacity, as a six-minute average.

c. The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.

d. The hourly emission limitations outlined in b)(1) are based upon the emissions unit's potential to emit. Therefore, no hourly records are required to demonstrate compliance with these limits.

e. All used oil burned in this emissions unit shall be "on-specification" (on-spec) oil and must meet the used oil fuel specifications contained in OAC 3745-279-11, which restricts the used oil to the following limitations:

Contaminant/Property	**Allowable Specifications**
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum
total halogens	4,000 ppm maximum*
lead	100 ppm, maximum
flash point	100°F, minimum
sulfur content	0.50%

The used oil burned in this emissions unit shall contain less than the quantifiable levels of PCBs as defined in 40 CFR 761.3; and shall also not exceed the following mercury limitation nor fall below the following heating value:

heat content	135,000 Btu/gallon, minimum
PCB's	less than 2 ppm
mercury	1 ppm, maximum

f. Used oil containing more than 1000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR Part 266.40(c) and OAC rule 3745-279. Therefore, the permittee may receive and burn used oil exceeding 1000 ppm of total halogens (but less than 4000 ppm, maximum) only if the supplier ["marketer" in 40 Part CFR 266.43(a)] has demonstrated to the Ohio EPA's Division of Materials and Waste Management that the used oil does not contain any hazardous waste.

g. The permittee shall notify the Ohio EPA Division of Materials and Waste Management and the Division of Air Pollution Control (the appropriate Ohio EPA District Office or local air agency) of their intent to burn off-specification used oils in this emissions unit. If the facility has not previously been assigned a U.S. EPA identification number, the permittee shall submit either the Ohio EPA form EPA9029 or a letter requesting the assignment of a U.S. EPA identification number. This notification shall follow the requirements of OAC 3745-279-62. The permittee shall not burn used oil exceeding the used oil specifications contained in OAC 3745-279-11 until the U.S. EPA identification number has been assigned to the facility and a final permit has been issued for the burning of off-specification used oils for energy recovery in the emissions unit.

h. Before the permittee accepts the first shipment of off-specification used oil fuel from a generator, transporter, or processor/re-refiner, the permittee (the burner) shall provide the generator, transporter, or processor/re-refiner a one-time written and signed notice certifying that:

i. the permittee has notified the Ohio EPA of the location and general description of the fuel oil management and burning activities;

ii. the permittee shall only burn off-specification used oil in the emissions unit(s) identified in this permit, that/which fit(s) the definition of an industrial furnace or boiler identified in paragraph (A) of OAC rule 3745-279-61; and

iii. thepermittee has been assigned a U.S. EPA identification number.

The permittee shall include the facility assigned U.S. EPA identification number on the certification notice.

c) Operational Restrictions

(1) The maximum asphaltic concrete production from this emissions unit shall not exceed 400 tons per hour.

(2) The permittee has requested a federally enforceable limitation on asphalt produced in order to restrict the federally enforceable potential to emit. The amount of asphalt produced is restricted in two ways:

a. The maximum annual asphalt concrete production rate for this emissions unit shall not exceed 1,000,000 tons per year based upon a rolling, 12-month summation of the production rates.

b. The permittee shall comply with the rolling, 12-month production limitation immediately upon startup under this permit based on past records of monthly production.

c. the amount of asphalt produced by fuel and the SO_2 emissions are restricted by the following equation:

$$53.99 \text{ TPY} \geq (0.011)*(x) + (0.058)*(y) + (0.53)*(z)$$

Where:

x = Tons asphalt produced with natural gas per rolling, 12-month period

y = Tons asphalt produced with No. 2 fuel oil and/or used oil per rolling, 12-month period

z = Tons of slag employed in the aggregate mix per rolling, 12-month period

*= factors may be revised based upon Ohio EPA validated emission testing and shall be revised if emissions testing results in higher emissions.

(3) The permittee may substitute reclaimed asphalt pavement (RAP) and/or asphalt shingles in amounts not to exceed 50 percent of each asphalt mix produced. The permittee may not substitute other raw materials not specifically identified in the PTIO application submitted on September 01, 2011 without prior approval from Ohio EPA.

The permittee may substitute slag or sand slag produced from blast, basic oxygen, and open hearth furnaces into the asphalt mix, as described in OAC rule 3745-51-04(B)(7). Slag produced from other sources, such as electric arc furnaces, must be evaluated in accordance with OAC rule 3745-52-11. If determined to be hazardous waste, the slag must be managed in accordance with applicable regulations in OAC chapter 3745-266, recyclable materials used in a manner constituting disposal.

Asphalt shingles removed from buildings (tear-off material) may be used but only if has been determined that they do not contain asbestos. Verification that the shingles do not contain asbestos can either be done by actual testing of a representative sample of the shingles, or by verification from the shingle supplier that the shingles do not contain asbestos. Records shall be kept documenting the asbestos verification of any shingles

used in the feed mix consistent with the language requirements in the standard terms and conditions.

(4) The permittee is limited to burning only natural gas, No. 2 fuel oil, or used oil meeting the specifications listed in b)(2)e.

(5) The permittee may not receive or burn any used oil which does not meet the specifications listed in b)(2)e. without first obtaining a permit to install that authorizes the burning of such used oil.

(6) The permittee may not receive or burn any No. 2 fuel oil and/or used oil which has a sulfur content greater than 0.50 percent.

(7) The Director or any authorized representative of the Director may require or may conduct periodic, detailed chemical analyses through an independent laboratory of any used oil shipment received by this facility, of any used oil stored at this facility, or of any used oil sampled at the process employing the used oil as fuel, or of any storage tanks at this facility. Additionally, this facility shall provide a plan for documenting that the used oil does not contain any hazardous waste as specified under 40 CFR Parts 261 and 279.

The facility shall notify the USEPA and the Ohio EPA that the used oil being burned exceeds used oil specifications. Before this facility accepts the first shipment of off-specification used oil from a marketer, this facility must provide the marketer a one-time written and signed notice certifying that:

a. the facility has notified USEPA of its used oil management activities and the notice included the location and description of those activities; and

b. the facility will burn the used oil only in an industrial furnace or boiler identified in accordance with 40 CFR Part 279.

A copy of each certification notice that this facility sends to a marketer must be kept on file for a minimum of 5 years from the date it last received off-specification used oil from that marketer. The facility shall also submit a copy of each certification notice to the appropriate Ohio EPA District Office.

(8) The sulfur content in the slag used in the aggregate mix shall not exceed 1.75% sulfur, by weight. The permittee may use slag with a higher sulfur content than 1.75% if prior approval is granted by Ohio EPA and stack testing is performed to demonstrate the sulfur dioxide emission limits in b)(1) are not exceeded.

d) Monitoring and/or Recordkeeping Requirements

(1) The permittee shall properly install, operate, and maintain equipment to monitor and record the pressure drop in inches of water, across the baghouse during operation of this emissions unit, including periods of startup and shutdown. 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 baghouse on a daily basis.

Whenever the monitored value for the pressure drop deviates from the range 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 readings 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 acceptable range for the pressure drop across the baghouse is 3 to 6 inches of water.

The range is 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 range 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 range 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.

(2) The permittee shall receive and maintain the chemical analyses from the supplier/marketer for each shipment of used oil burned in this emissions unit (or if the oil is generated on site, the permittee shall conduct the chemical analyses), which shall contain the following information:

a. the date the used oil was received at the facility and the amount received;

b. the name, address, and U.S. EPA identification number (if applicable) of the generator, transporter, processor/refiner, supplier, and/or marketer;

c. the results of the following chemical analyses, demonstrating that the used oil meets the standards in OAC rule 3745-279-11:

i. arsenic content, in ppm;

ii. the cadmium content, in ppm;

iii. the chromium content, in ppm;

iv. the lead content, in ppm;

v. total halogens, in ppm; and

vi. the flash point;

d. where the chemical analysis shows a total halogen content between 1,000 ppm, and below 4,000 ppm, the successful demonstration for the rebuttal of the presumption that the used oil contains or has been mixed with a listed hazardous waste, as described in OAC rule 3745-279-63(C); and

e. the results of the analyses demonstrating that the used oil meets the heating value and the mercury and PCB limitations contained in this permit.

Each analysis shall be kept in a readily accessible location for a period of not less than 5 years* following the receipt of each shipment of used oil and shall be made available to the Ohio EPA Division of Materials and Waste Management and/or the Division of Air Pollution Control (the appropriate Ohio EPA District Office or local air agency) upon verbal or written request. Any authorized representative of the Ohio EPA may sample or require sampling of any used oil shipments received, stored, or burned by/at this facility for periodic detailed chemical analyses through an independent laboratory.

*The Division of Air Pollution Control requires these records to be maintained for 5 years.

(3) The permittee shall maintain monthly records of the following information:

a. the total asphalt production for each month;

b. the total asphalt produced for each fuel type for each month;

c. the rolling 12 month summation of the total asphalt production and the asphalt production by fuel type, calculated by adding the current month's asphalt production to the asphalt production for the preceding eleven calendar months;

d. the rolling, 12-month summation of the PE, PM10, SO2, NOx, VOC and CO emissions;

e. the maximum percentage of RAP and/or shingles used for any mix type;

f. the total amount, in tons, of slag employed for each month; and

g. the rolling, 12 month summation of the total slag employed in the mix.

(4) For each shipment of oil received for burning in this emissions unit, the permittee shall maintain records of the total quantity of oil received and the permittee's or oil supplier's analyses for sulfur content and heat content.

(5) The permit to install for this emissions unit (P901) was evaluated based on the actual materials (typically coatings and cleanup materials) and the design parameters of the emissions unit's exhaust system, as specified by the permittee in the permit to install application. The Ohio EPA's "Review of New Sources of Air Toxic Emissions" policy ("Air

Toxic Policy") was applied for each pollutant emitted by this emissions unit using data from the permit to install application and the SCREEN 3.0 model (or other Ohio EPA approved model). The predicted 1-hour maximum ground-level concentration from the use of the SCREEN 3.0 model was compared to the Maximum Ground-Level Concentration (MAGLC).

(6) The following summarizes the results of the modeling for the "worst case" pollutant(s):

Pollutant: formaldehyde

TLV (ug/m3): 368

Maximum Hourly Emission Rate (lbs/hr): 1.24

Predicted 1-Hour Maximum Ground-Level Concentration (ug/m3): 3.4

MAGLC (ug/m3): 8.8

Physical changes to or in the method of operation of the emissions unit after it's installation or modification could affect the parameters used to determine whether or not the "Air Toxics Policy" is satisfied. Consequently, prior to making a change that could impact such parameters, the permittee shall conduct an evaluation to determine that the "Air Toxic Policy" will still be satisfied. If, upon evaluation, the permittee determines that the "Air Toxic Policy" will not be satisfied, the permittee will not make the change. Changes that can affect the parameters used in the "Air Toxic Policy" include the following:

a. changes in the composition of the materials used (typically for coatings or cleanup materials), or the use of new materials, that would result in the emission of a compound with a lower Threshold Limit Value (TLV), as indicated in the most recent version of the handbook entitled "American Conference of Governmental Industrial Hygienists (ACGIH)," than the lowest TLV value previously modeled;

b. changes in the composition of the materials, or use of new materials, that would result in an increase in emissions of any pollutant with a listed TLV that was proposed in the application and modeled: and

c. physical changes to the emissions unit or its exhaust parameters (e.g., increased/decreased exhaust flow, changes in stack height, changes in stack diameter, etc.).

If the permittee determines that the "Air Toxic Policy" will be satisfied for the above changes, the Ohio EPA will not consider the change(s) to be a "modification" under OAC rule 3745-31-01 solely due to the emissions of any type of toxic air contaminant not previously emitted, and a modification of the existing permit to install will not be required, even if the toxic air contaminant emissions are greater than the de minimis level in OAC rule 3745-15-05. If the change(s) is (are) defined as a modification under other provisions of the modification definition, then the permittee shall obtain a final permit to install prior to the change.

The permittee shall collect, record, and retain the following information when it conducts evaluations to determine that the changed emissions unit will satisfy the Air Toxic Policy:"

a a description of the parameters changed(composition of materials, new pollutants emitted, change in stack/exhaust parameters, etc.);

b. documentation of its evaluation and determination that the changed emissions unit still satisfies the "Air Toxic Policy"; and

c. when the computer modeling is performed, a copy of the resulting computer model runs that show the results of the application of the "Air Toxic Policy" for the change.

(7) The permittee shall maintain daily records of the following information:

a. the amount, in tons, of slag used, furnace type that produced the slag, and type (grade) of slag employed;

b. the maximum amount, in percent, of RAP and/or shingles used in any mix.

(8) The permittee shall submit and receive approval from Ohio EPA for a slag sampling and testing plan prior to using slag. In the slag sampling plan, the permittee shall commit to demonstrating that the sulfur content of the slag does not exceed the operational restriction of 1.75% found in c)(8).

e) Reporting Requirements

(1) The permittee shall notify the U.S. EPA and the Ohio EPA Division of Materials and Waste Management and the Division of Air Pollution Control (the appropriate Ohio EPA District Office or local air agency), in writing and within 30 days, of burning any used oil exceeding the limitations found in OAC rule 3745-279-11 and/or exceeding the limitations outlined in b)(2)e. and/or any incident or occurrence of non-compliance with any other applicable requirement of OAC Chapter 3745-279 and/or 40 CFR part 761; and shall also notify the Ohio EPA Division of Air Pollution Control, within the same amount of time, if any oil is/was burned which exceeds the mercury limitation of 1 ppm and/or is documented as having a heating value of less than 135,000 Btu/gallon.

The permittee shall notify both the Ohio EPA Division of Materials and Waste Management and the Division of Air Pollution Control (the appropriate Ohio EPA District Office or local air agency), in writing and within 30 days, of any occurrence of non-compliance with the requirements set forth in OAC rules 3745-279-60 through 67, which includes the storage and tracking of the used oil.

(2) The permittee shall submit quarterly deviation (excursion) reports that identify:

a. all deviations (excursions) of the following emission limitations, operational restrictions and/or control device operating parameter limitations that restrict the Potential to Emit (PTE) of any regulated air pollutant and have been detected by the monitoring, record keeping and/or testing requirements in this permit:

i. all exceedances of the rolling 12-month asphalt production limitation, and, the probable cause of each deviation (excursion);

ii. all exceedances of the slag operational restriction of 1.75% sulfur content, as listed in c)(8);

iii. all exceedances of the rolling 12-month total PE, PM10, SO_2, NOx, VOC and CO emission limitations;

iv. all exceedances of the fuel sulfur content limitations in b)(2)e. and c)(6);

v. any exceedance of the used oil standards in OAC rule 3745-279-11;

vi. any occasion where used oil containing 1,000 ppm or more total halogens was burned prior to receiving information demonstrating a successful rebuttal of the presumption that the used oil contains or has been mixed with a listed hazardous waste;

vii. any exceedance of the limitations for mercury and/or PCBs; and

viii. any deviation from the minimum heat content of 135,000 Btu/gallon;

b. any corrective actions that were taken to remedy the deviations (excursions) or prevent future deviations (excursions); and

c. the magnitude and duration of each deviation (excursion).

If no deviations (excursions) occurred during a calendar quarter, the permittee shall submit a report that states that no deviations (excursions) occurred during the quarter.

(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 baghouse field was outside of the acceptable range;

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 into compliance with the acceptable range, 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.

If no deviations (excursions) occurred during a calendar quarter, the permittee shall submit a report that states that no deviations (excursions) occurred during the quarter.

The quarterly reports shall be submitted electronically through OEPA Air Services each year by the thirty-first of January (covering October to December), the thirtieth of April (covering January to March), the thirty-first of July (covering April to June), and the thirty-first of October (covering July to September), unless an alternative schedule has been established and approved by the director (the appropriate district office or local air agency).

(4) 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.

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:

Visible particulate emissions from the stack shall not exceed 10% opacity as a six-minute average.

Applicable Compliance Method:

Compliance shall be determined through visible emission observations performed in accordance with 40 CFR Part 60, Appendix A, Method 9 and the procedures specified in OAC rule 3745-17-03(B)(1).

b. Emission Limitation:

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

Applicable Compliance Method:

Compliance shall be determined through visible emission observations performed in accordance with 40 CFR Part 60, Appendix A, Method 9 and the procedures specified in OAC rule 3745-17-03(B)(3).

c. Emission Limitations:

Particulate emissions (PE) from the fabric filter stack shall not exceed 13.2 pounds per hour when burning natural gas or oil.

Particulate emissions 10 microns and less in diameter (PM10) from the fabric filter stack shall not exceed 9.2 pounds per hour when burning natural gas or oil.

Carbon monoxide (CO) emissions shall not exceed 52.0 pounds per hour when burning natural gas or oil.

Nitrogen oxide (NOx) emissions shall not exceed 22.0 pounds per hour when burning oil.

Nitrogen oxide (NOx) emissions shall not exceed 10.4 pounds per hour when burning natural gas.

Sulfur dioxide (SO2) emissions shall not exceed 0.0034 pound per ton of asphalt produced, when burning natural gas and not using slag.

SO2 emissions shall not exceed 0.058 pound per ton of asphalt produced when burning on-spec used oil or Number 2 fuel oil and not using slag.

Volatile organic compound (VOC) emissions shall not exceed 17.6 pounds per hour when burning natural gas and oil.

Applicable Compliance Methods:

Compliance with the hourly PE, PM10, CO, NOx, SO2 and VOC emission limitations will be demonstrated by multiplying the maximum hourly production rate of 400 tons/hour times the following emission factors in pounds/ton:

PE: 0.033
PM10: 0.023
CO: 0.13 (natural gas and oil)
NOx: 0.026 (natural gas)
NOx: 0.055 (oil)
VOC: 0.044 (natural gas and oil)

Emission factors for PE, PM10, CO, NOx and SO2 are from AP-42, Tables 11.1-3, 11.1-7 and 11.1-8 (03/04). The emission factor for VOC was derived from the stack test of this emissions unit performed on 7/19/2011.

d. Emission Limitation:

SO2 emissions, while employing slag in the mix, shall not exceed 0.530 pound per ton of slag employed in addition to the emission limitation while burning any permitted fuel.

Applicable Compliance Method:

SO2 (lb./ton) = (SO2 (lb/hr.) – x - y)/(z)

Where:

x = SO2 (lb./hr.) produced while burning natural gas.

y = SO2 (lb./hr.) produced while burning No. 2 fuel oil and/or used oil.

z = tons of slag per hour employed in the aggregate mix.

*= factors may be revised based upon Ohio EPA validated emission testing and shall be revised if emission testing results in higher emissions.

e. Emission Limitations:

Fugitive particulate emissions (PE) shall not exceed 22.0 pounds per hour. Fugitive particulate emissions 10 microns and less in diameter (PM10) shall not exceed 19.8 pounds per hour.

Applicable Compliance Methods:

Compliance with the PE emission limitation will be demonstrated by multiplying the maximum hourly production rate of 400 tons/hour times the emission factor of 0.11 pounds/ton x (1-0.50). PM10 emissions are 90% of PM (PE) emissions per RACM Table 2.21-3.

Emission factors from RACM - Table 2.21-1 and the use of a 50% control efficiency for maintaining the aggregate in a moist condition.

f. Emission Limitations:

Particulate emissions (PE) from the fabric filter stack shall not exceed 16.5 TPY.
Particulate emissions 10 microns and less in diameter (PM10) from the fabric filter stack shall not exceed 11.5 TPY.
Carbon monoxide (CO) emissions shall not exceed 65.0 TPY.
Nitrogen oxide (NOx) emissions shall not exceed 27.5 TPY.
Volatile organic compound (VOC) emissions shall not exceed 22.0 TPY.

Applicable Compliance Methods:

Compliance with the PE, PM10, CO, NOx and VOC emission limitations will be demonstrated by multiplying the maximum annual production rate of 1,000,000 tons/year times the following emission factors in pounds/ton:

PE: 0.033
PM10: 0.023
CO: 0.13
NOx: 0.055
VOC: 0.044

Emission factors for PE, PM10, CO, and NOx are from AP-42, Tables 11.1-3,11.1-7 and 11.1-8 (03/04). The emission factor for VOC was derived from the stack test of this emission unit performed on 7/19/2011.

g. Emission Limitation:

Sulfur dioxide (SO2) emissions shall not exceed 53.99 TPY.

Applicable Compliance Methods:

Compliance shall be determined using the calculation listed in c)(2)c.

h. Compliance with the annual asphalt production limitation in c)(2)a. and the RAP and slag limitation in c)(3) shall be demonstrated by the record keeping in d)(3).

i. Compliance with the used oil specifications in b)(2)e. term shall be demonstrated by the record keeping in d)(2).

j. Compliance with the sulfur content of the fuel limitations in b)(2)e. and c)(5) for this emissions unit shall be based upon the record keeping requirements as specified in d)(4).

k. Compliance with the limitation of the slag sulfur content in c)(8) for this emissions unit shall be based upon the record keeping requirements as specified in d)(7).

l. Compliance with the emission limitation in b)(1)c. shall be demonstrated using USEPA test methods 1 through 5.

m. Compliance with the fuel limitation in c)(4) shall be demonstrated by the record keeping required in d)(4).

n. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

i. The emission testing shall be conducted within 12 months of expiration of this permit for the primary fuel. Emission testing for secondary fuels shall be conducted within 60 days after the switch to the secondary fuel. Emission testing for slag use in the mix shall be conducted within 60 days after initially employing slag if slag was not used during the initial test for the permit cycle. If sand slag is used, emission testing for sand slag use in the mix shall be conducted within 60 days after initially employing sand slag if sand slag is used after the initial testing for the permit cycle. For purposes of this permit, secondary fuels shall be fuels used after the initial emission test for this permit cycle.

ii. The emission testing shall be conducted to demonstrate compliance with the allowable mass emission rates for PE, VOC, CO, NOx and SO_2 for the primary fuel. Prior to secondary fuel emission testing, the permittee shall consult the appropriate Ohio EPA District Office or local air agency to determine which pollutants should be tested.

iii. The following test method(s) shall be employed to demonstrate compliance with the allowable mass emission rate(s) for:

PE, Methods 1-5 of 40 CFR Part 60, Appendix A.

NOx, Methods 1-4 and 7 or 7E of 40 CFR Part 60, Appendix A.

SO_2, Methods 1-4 and 6 or 6C of 40 CFR Part 60, Appendix A

CO, Methods 1-4 and 10 of 40 CFR Part 60, Appendix A

VOC, Methods 1-4 and 25, 25A, and/or 18 of 40 CFR Part 60, Appendix A

The VOC pounds per ton emission rate observed during the emission test shall be calculated in accordance with OAC paragraph 3745-21-10(C)(7). In lieu of this the permittee shall convert the mass emission value from VOC as carbon to VOC using the molecular weight of propane, i.e., the VOC as carbon emission rate observed during testing shall be converted to the appropriate units by multiplying the VOC emission rate observed during testing (in lbs./hr) by 44 (propane) and dividing by 36 (3 atoms of carbon).

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

iv. The test(s) shall be conducted while this emissions unit is operating at or near its maximum capacity, maximum slag usage rate, and burning natural gas, Number 2 fuel oil, or on-spec used oil for PE, VOC, CO, NOx and SO_2 and employing RAP to verify VOC emissions, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.

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 appropriate Ohio EPA District Office or local air agency's refusal to accept the results of the emission test(s).

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.

A comprehensive written report on the results of the emission 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.

g) Miscellaneous Requirements

1. None.