



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL  
AUGLAIZE COUNTY**

**CERTIFIED MAIL**

Street Address:

122 S. Front Street

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center  
P.O. Box 1049

**Application No: 03-13755**

**DATE: 6/18/2002**

CON-AG, Inc.  
Robert Hirshfeld  
16672 County Road 66A North  
St. Marys, OH 45885

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, I urge you to read it carefully.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 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. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission  
236 East Town Street, Room 300  
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo, Manager  
Field Operations and Permit Section  
Division of Air Pollution Control

cc: USEPA

NWDO



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**Permit To Install  
Terms and Conditions**

**Issue Date: 6/18/2002  
Effective Date: 6/18/2002**

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**FINAL PERMIT TO INSTALL 03-13755**

Application Number: 03-13755  
APS Premise Number: 0306010053  
Permit Fee: **\$2000**  
Name of Facility: CON-AG, Inc.  
Person to Contact: Robert Hirshfeld  
Address: 16672 County Road 66A North  
St. Marys, OH 45885

Location of proposed air contaminant source(s) [emissions unit(s)]:  
**16672 County Road 66A North  
St. Marys, Ohio**

Description of proposed emissions unit(s):  
**To be determined by county engineer.**

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

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 Related to Monitoring and Recordkeeping 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 quarterly, i.e., 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 application must be made to the Director for the installation or modification of any other emissions unit(s).

**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 thirty (30) days after commencing operation of the emissions unit(s) covered by this permit.

CON-AG, Inc.  
PTI Application: 03-13755  
Issued: 6/18/2002

Facility ID: 0306010053

#### 14. Construction Compliance Certification

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

#### 15. Fees

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

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

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

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

<u>Pollutant</u>	<u>Tons Per Year</u>
PE	2.01

**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>
F001 aggregate processing plant including crushing, screening, and conveying. Modification to PTI #03-09416, originally issued on October 30, 1996, to add three conveyors (see A.2.f)	OAC rule 3745-31-05 (A)(3)	2.01 TPY fugitive PE  visible particulate emission restrictions (see A.2.b)  Use of best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (See A.2.a)  The requirements of this rule also include compliance with the requirements of 40 CFR Part 60 Subpart OOO
	40 CFR Part 60, Subpart OOO	visible particulate emission restrictions (See A.2.b. & A.2.c.)
	OAC rule 3745-17-07 (B)	See A.2.e.
	OAC rule 3745-17-08 (B)	See A.2.f.

**2. Additional Terms and Conditions**

- 2.a The permittee shall employ best available control measures for the material handling operation(s) associated with emissions unit F001 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 perform the following control measure(s) to ensure compliance:

**Material Handling Operations**

Conveyer #12

**Control Measures**

partial enclosure

For all other material handling operations not identified above, in accordance with the permit application, the permittee maintains that the inherent moisture content of the materials involved in fugitive dust operations/sources is more than sufficient to comply with all applicable requirements. If at any time the moisture content is not sufficient to meet the above applicable requirements, the permittee shall employ best available control measures to ensure compliance.

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

- 2.b** Visible particulate emissions from emission unit F001 shall not exceed the following opacity restrictions:

Emission Point (Company ID)	Equipment Type	Visible Particulate Emission Limitation	Regulatory Basis for Limit
Truck Unloading	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Primary Crusher	Crusher	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Primary Crusher to Conveyer #1	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Conveyer #1 to Conveyer #12	Transfer Point	Visible particulate emissions shall not exceed 10% opacity as a 6-minute average	NSPS, Subpart OOO *
Conveyer #12 to Conveyer #13	Transfer Point	Visible particulate emissions shall not exceed 10% opacity as a 6-minute average	NSPS, Subpart OOO *

Conveyor #13 to Conveyor #14	Transfer Point	Visible particulate emissions shall not exceed 10% opacity as a 6-minute average	NSPS, Subpart 000 *
Conveyor #14 to Conveyor #2	Transfer Point	Visible particulate emissions shall not exceed 10% opacity as a 6-minute average	NSPS, Subpart 000 *
Conveyor #2 to Secondary Crusher	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Secondary Crusher	Crusher	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Secondary Crusher to 3 Deck Screener	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
3 Deck Screener	Screen	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
3 Deck Screener to Conveyor #11	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
3 Deck Screener to Conveyor #4	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
3 Deck Screener to East Radial Stacker	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05

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Emissions Unit ID: F001

East Radial Stacker to Stock Pile	Transfer Point	No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation period	OAC rule 3745-31-05
Conveyor #11 to Stock Pile	Transfer Point	No visible emissions except for a period of time not to exceed one minute during any 60-minute observation period	OAC rule 3745-31-05
Conveyor #4 to Conveyor #5	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Conveyor #5 to 3 Deck Screener #2	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
3 Deck Screener #2	Screen	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
3 Deck Screener #2 to Conveyor #6	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Conveyor #6 to Conveyor #7	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
3 Deck screener #2 to Conveyor #9	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Conveyor #9 to West Radial Stacker	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05

West Radial Stacker to Stockpile	Transfer Point	No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation period	OAC Rule 3745-31-05
3 Deck Screener #2 to Sand Screw Conveyor	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Sand Screw Conveyor to Sand Stacker	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Sand Stacker to Stockpile	Transfer Point	No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation period	OAC Rule 3745-31-05
3 Deck Screener #2 to Cone Crusher	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Cone Crusher	Crushing	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05
Cone Crusher to Conveyor %15	Transfer Point	Visible particulate emissions shall not exceed 20% opacity as a 3- minute average	OAC rule 3745-31-05

\*Note: Compliance with the visible particulate emission restrictions for these emissions points shall be achieved on and after the sixtieth day after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup.

- 2.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 for 40 CFR Part 60 are also federally enforceable.

- 2.d This emissions unit is exempt from the visible particulate emission limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).
- 2.e Con Ag, Inc. is not located within an "Appendix A" area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-08(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).
- 2.f This PTI supercedes PTI 03-09416 (originally issued on October 30, 1996) for emissions unit F001 only.

**B. Operational Restrictions**

- 1. The maximum annual material throughput for this emissions unit shall not exceed 500,000 tons. This restriction is based on the material throughput of the primary Crusher.

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

- 1. The permittee shall collect and record the following information each month for emissions unit F001:
  - a. The total tons per month of material processed through the primary crusher of emissions unit F001.
  - b. The annual, year to date tons of material processed through the primary crusher of emissions unit F001 (sum of (a) for each calendar month to date from January to December).
- 2. 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:

<u>material handling operation(s)</u>	<u>minimum inspection frequency</u>
aggregate processing including crushing, screening, conveying.	once per day of operation

3. The above-mentioned inspections shall be performed during representative, normal operating conditions.
4. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
5. The permittee shall maintain records of the following information:
  - a. the date and reason any required inspection was not performed;
  - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
  - c. the dates the control measure(s) was (were) implemented; and
  - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in 5.d. shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

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

1. The permittee shall submit annual deviation (excursion) reports that identify any exceedances of the annual material throughput limitation, as well as the corrective actions that have been taken to achieve compliance. If no deviations occurred during the calendar year, the permittee shall submit an annual report which states that no deviations occurred during the calendar year. These reports shall be submitted by January 31 of each year.
2. The permittee shall submit deviation reports in accordance with the general terms and conditions of this permit, that identify any of the following occurrences:
  - a. each day during which an inspection was not performed by the required frequency; and
  - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.
3. Pursuant to the general provisions of NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times for emissions unit F001:
  - a. Construction date (no later than 30 days after such date).

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**PTI A**

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Emissions Unit ID: **F001**

- b. Actual start-up date (within 15 days after such date).
- c. Date of Performance testing (if required, at least 30 days prior to testing).

Reports are to be sent to:

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

and Ohio EPA, Northwest District Office  
347 North Dunbridge Road  
Bowling Green, Ohio 43402

#### **E. Testing Requirements**

1. Compliance with the emission limitation(s) in Section A.1. of these terms and conditions shall be determined in accordance with the following method(s):

- a. Emission Limitation: 2.01 tons per year fugitive PE

Applicable Compliance Method: The emission limitation was developed by multiplying the annual maximum material throughput of 500,000 tons of material by emissions factors in AP-42 Chapter 11.19.2 (revised 1/95). Therefore, provided compliance is shown with the annual maximum throughput and with the requirement to apply best available control measures, compliance with the ton per year PE limitation will be assumed.

- b. Emission Limitation: Visible particulate emissions shall not exceed 20 percent opacity as a three minute average.

Applicable Compliance Method: If required, compliance shall be determined in accordance with 40 CFR Part 60, Appendix A, Method 9.

- c. Emission Limitation: No visible particulate emissions except for a period of time not to exceed one minute during any 60-minute observation period.

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

- f. Emission Limitation: Visible particulate emissions shall not exceed 10% opacity as a 6-minute average

Applicable Compliance Method: The permittee shall demonstrate compliance by the testing requirements in section E.2:

2. The permittee shall conduct, or have conducted, emissions testing for the following transfer points of emissions unit F001:

Conveyor #1 to Conveyor #12

Conveyor #12 to Conveyor #13

Conveyor #13 to Conveyor #14

Conveyor #14 to Conveyor #2

- a. The testing shall be conducted in accordance with the provisions of 40 CFR Part 60, Subpart A, Section 60.8 and 40 CFR Part 60 Subpart OOO, Section 60.675.
- b. The emissions testing shall be conducted within 60 days after achieving the maximum production rate at which the affected facility will be operated, but not later than 180 days after initial startup of such facility and at such other times as may be required by the Ohio Environmental Protection Agency, Division of Air Pollution Control. The emissions testing shall be conducted to demonstrate compliance with the allowable visible emission rates for particulate emissions.
- c. The following test methods shall be employed to demonstrate compliance with the allowable visible emission limitations:

Method 9 of 40 CFR Part 60, Appendix A shall be used to determine opacity.

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

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**PTI A**

**Issued: 6/18/2002**

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performance of the control equipment. A comprehensive written report on the emissions tests shall be signed by the person or persons responsible for the tests and submitted to the Ohio EPA Division of Air Pollution Control within 30 days following completion of the tests.

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Emissions Unit ID: **F001**

**F. Miscellaneous Requirements**

None