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

6/19/2012

Pamela Blakley *Via E-Mail Notification*
United States Environmental Protection Agency
Mail Code: AR-18J
77 West Jackson Blvd.

Chicago, IL 60604-3507

RE: PROPOSED AIR POLLUTION TITLE V PERMIT
Facility Name: Port Clinton Landfill
Facility ID: 0362010118
Permit Type: Renewal
Permit Number: P0109663

Dear Ms. Blakley:

A proposed OAC Chapter 3745-77 Title V permit for the referenced facility has been issued for review by U.S. EPA. This permit has been posted to the Division of Air Pollution Control (DAPC) Web page http://www.epa.ohio.gov/dapc in Microsoft Word and Adobe Acrobat format. If U.S. EPA does not object to this proposed permit, the permit will be processed for issuance as a final action not less than 45 days from the date of this letter. Please contact me at (614) 644-3631 by the end of the 45 day review period if you wish to object to the proposed permit.

Sincerely,

Michael W. Ahern

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

Cc: Ohio EPA DAPC, Northwest District Office

50 West Town Street, Suite 700
P.O. Box 1049
Columbus, OH 43216-1049

614 | 644 3020
614 | 644 3184 (fax)
www.epa.ohio.gov

Ohio | Environmental Protection Agency

PROPOSED

Division of Air Pollution Control
Title V Permit
for
Port Clinton Landfill

Facility ID:	0362010118
Permit Number:	P0109663
Permit Type:	Renewal
Issued:	6/19/2012
Effective:	To be entered upon final issuance
Expiration:	To be entered upon final issuance

Ohio Environmental Protection Agency

Division of Air Pollution Control
Title V Permit
for
Port Clinton Landfill

Table of Contents

Authorization 1
A. Standard Terms and Conditions 2
1. Federally Enforceable Standard Terms and Conditions 3
2. Monitoring and Related Record Keeping and Reporting Requirements 3
3. Scheduled Maintenance 6
4. Risk Management Plans 6
5. Title IV Provisions 7
6. Severability Clause 7
7. General Requirements 7
8. Fees 8
9. Marketable Permit Programs 8
10. Reasonably Anticipated Operating Scenarios 8
11. Reopening for Cause 9
12. Federal and State Enforceability 9
13. Compliance Requirements 9
14. Permit Shield 11
15. Operational Flexibility 11
16. Emergencies 11
17. Off-Permit Changes 11
18. Compliance Method Requirements 12
19. Insignificant Activities or Emissions Levels 12
20. Permit to Install Requirement 12
21. Air Pollution Nuisance 13
22. Permanent Shutdown of an Emissions Unit 13
23. Title VI Provisions 13
24. Reporting Requirements Related to Monitoring and Record Keeping Requirements Under State Law Only 14
25. Records Retention Requirements Under State Law Only 14
26. Inspections and Information Requests 14
27. Scheduled Maintenance/Malfunction Reporting 15
28. Permit Transfers 15

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 15

B. Facility-Wide Terms and Conditions 16

C. Emissions Unit Terms and Conditions 18

1. F002, Roadways and Parking Areas 19

2. P901, MSW Landfill and Open Flare 24

Authorization

Facility ID: 0362010118
Facility Description: Solid waste asbestos landfill with active gas flare system
Application Number(s): A0043983
Permit Number: P0109663
Permit Description: Renewal Title V operating permit for a solid waste asbestos landfill with active gas flare system.
Permit Type: Renewal
Issue Date: 6/19/2012
Effective Date: To be entered upon final issuance
Expiration Date: To be entered upon final issuance
Superseded Permit Number: P0087412

This document constitutes issuance of an OAC Chapter 3745-77 Title V permit to:

Port Clinton Landfill
530 North Camp Road
Port Clinton, OH 43452

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

Ohio EPA DAPC, Northwest District Office
347 North Dunbridge Road
Bowling Green, OH 43402
(419)352-8461

The above named entity is hereby granted a Title V permit pursuant to Chapter 3745-77 of the Ohio Administrative Code. This permit and the authorization to operate the air contaminant sources (emissions units) at this facility shall expire at midnight on the expiration date shown above. You will be sent a notice approximately 18 months prior to the expiration date regarding the renewal of this permit. If you do not receive a notice, please contact the Ohio EPA DAPC, Northwest District Office. If a renewal permit is not issued prior to the expiration date, the permittee may continue to operate pursuant to OAC rule 3745-77-08(E) and in accordance with the terms of this permit beyond the expiration date, if a timely renewal application is submitted. A renewal application will be considered timely if it is submitted no earlier than 18 months (540 days) and no later than 6 months (180 days) prior to the expiration date.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Scott J. Nally
Director

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:

(1) Standard Term and Condition A. 24., Reporting Requirements Related to Monitoring and Record Keeping Requirements of State-Only Enforceable Permit Terms and Conditions

(2) Standard Term and Condition A. 25., Records Retention Requirements for State-Only Enforceable Permit Terms and Conditions

(3) Standard Term and Condition A. 27., Scheduled Maintenance/Malfunction Reporting

(4) Standard Term and Condition A. 29., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

(Authority for term: ORC 3704.036(A))

2. Monitoring and Related Record Keeping and Reporting Requirements

a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit), the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:

(1) The date, place (as defined in the permit), and time of sampling or measurements.

(2) The date(s) analyses were performed.

(3) The company or entity that performed the analyses.

(4) The analytical techniques or methods used.

(5) The results of such analyses.

(6) The operating conditions existing at the time of sampling or measurement.

(Authority for term: OAC rule 3745-77-07(A)(3)(b)(i))

b) 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 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.

(Authority for term: OAC rule 3745-77-07(A)(3)(b)(ii))

c) The permittee shall submit required reports in the following manner:

(1) All reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations caused by malfunctions shall be submitted in the following manner:

Any malfunction, as defined in OAC rule 3745-15-06(B)(1), shall be promptly reported to the Ohio EPA in accordance with OAC rule 3745-15-06. In addition, to fulfill the OAC rule 3745-77-07(A)(3)(c) deviation reporting requirements for malfunctions, written reports that identify each malfunction that occurred during each calendar quarter (including each malfunction reported only verbally in accordance with OAC rule 3745-15-06) shall be submitted (i.e., postmarked) by January 31, April 30, July 31, and October 31 of each year in accordance with Standard Term and Condition A.2.c)(2) below; and each report shall cover the previous calendar quarter. An exceedance of the visible emission limitations specified in OAC rule 3745-17-07(A)(1) that is caused by a malfunction is not a violation and does not need to be reported as a deviation if the owner or operator of the affected air contaminant source or air pollution control equipment complies with the requirements of OAC rule 3745-17-07(A)(3)(c).

In accordance with OAC rule 3745-15-06, a malfunction reportable under OAC rule 3745-15-06(B) is a deviation of the federally enforceable permit requirements. Even though verbal notifications and written reports are required for malfunctions pursuant to OAC rule 3745-15-06, the written reports required pursuant to this term must be submitted quarterly to satisfy the prompt reporting provision of OAC rule 3745-77-07(A)(3)(c).

In identifying each deviation caused by a malfunction, the permittee shall specify the emission limitation(s) (or control requirement(s)) for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. For a specific malfunction, if this information has been provided in a written report that was submitted in accordance with OAC rule 3745-15-06, the permittee may simply reference that written report to identify the deviation. Nevertheless, all malfunctions, including those reported only verbally in accordance with OAC rule 3745-15-06, must be reported in writing on a quarterly basis.

Any scheduled maintenance, as referenced in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described above for malfunctions.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(2) Except as may otherwise be provided in the terms and conditions for a specific emissions unit (i.e., in section C. Emissions Unit Terms and Conditions of this Title V permit or, in some cases, in section B. Facility-Wide Terms and Conditions of this Title V permit), all reporting required in accordance with OAC rule 3745-77-07(A)(3)(c) for deviations of the emission limitations, operational restrictions, and control device operating parameter limitations shall be submitted in the following manner:

Written reports of (a) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, (b) the probable cause of such deviations, and (c) any corrective actions or preventive

measures taken, shall be promptly made to the appropriate Ohio EPA District Office or local air agency. Except as provided below, the written 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.

In identifying each deviation, the permittee shall specify the emission limitation(s), operational restriction(s), and/or control device operating parameter limitation(s) for which the deviation occurred, describe each deviation, and provide the estimated magnitude and duration of each deviation.

These written deviation reports shall satisfy the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations. Full compliance with OAC rule 3745-77-07(A)(3)(c) requires reporting of all other deviations of the federally enforceable requirements specified in the permit as required by such rule.

If an emissions unit has a deviation reporting requirement for a specific emission limitation, operational restriction, or control device operating parameter limitation that is not on a quarterly basis (e.g., within 30 days following the end of the calendar month, or within 30 or 45 days after the exceedance occurs), that deviation reporting requirement satisfies the reporting requirements specified in this Standard Term and Condition for that specific emission limitation, operational restriction, or control device parameter limitation. Following the provisions of that non-quarterly deviation reporting requirement will also satisfy (for the deviations so reported) the requirements of OAC rule 3745-77-07(A)(3)(c) pertaining to the submission of monitoring reports every six months and to the prompt reporting of all deviations, and additional quarterly deviation reports for that specific emission limitation, operational restriction, or control device parameter limitation are not required pursuant to this Standard Term and Condition.

See A.29 below if no deviations occurred during the quarter.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

(3) All reporting required in accordance with the OAC rule 3745-77-07(A)(3)(c) for other deviations of the federally enforceable permit requirements which are not reported in accordance with Standard Term and Condition A.2)c)(2) above shall be submitted in the following manner:

Unless otherwise specified by rule, written reports that identify deviations of the following federally enforceable requirements contained in this permit; Standard Terms and Conditions: A.3, A.4, A.5, A.7.e), A.8, A.13, A.15, A.19, A.20, A.21, and A.23 of this Title V permit, as well as any deviations from the requirements in section C. Emissions Unit Terms and Conditions of this Title V permit, and any monitoring, record keeping, and reporting requirements, which are not reported in accordance with Standard Term and Condition A.2.c)(2) above shall be submitted (i.e., postmarked) to the appropriate Ohio EPA District Office or local air agency by January 31 and July 31 of each year; and each report shall cover the previous six calendar months. Unless otherwise specified by rule, all other deviations from federally enforceable requirements identified in this permit shall be submitted annually as part of the annual compliance certification, including deviations of federally enforceable requirements not specifically addressed by permit or rule for the

insignificant activities or emissions levels (IEU) identified in section B. Facility-Wide Terms and Conditions of this Title V permit. Annual reporting of deviations is deemed adequate to meet the deviation reporting requirements for IEUs unless otherwise specified by permit or rule.

In identifying each deviation, the permittee shall specify the federally enforceable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation.

These semi-annual and annual written reports shall satisfy the reporting requirements of OAC rule 3745-77-07(A)(3)(c) for any deviations from the federally enforceable requirements contained in this permit that are not reported in accordance with Standard Term and Condition A.2.c)(2) above.

If no such deviations occurred during a six-month period, the permittee shall submit a semi-annual report which states that no such deviations occurred during that period.

(Authority for term: OAC rules 3745-77-07(A)(3)(c)(i) and (ii) and OAC rule 3745-77-07(A)(13)(b))

(4) Each written report shall be signed by a responsible official certifying that, "based on information and belief formed after reasonable inquiry, the statements and information in the report (including any written malfunction reports required by OAC rule 3745-15-06 that are referenced in the deviation reports) are true, accurate, and complete."

(Authority for term: OAC rule 3745-77-07(A)(3)(c)(iv))

(5) Reports of any required monitoring and/or record keeping information shall be submitted to Ohio EPA DAPC, Northwest District Office.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

3. Scheduled Maintenance

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. Except as provided in OAC rule 3745-15-06(A)(3), any scheduled maintenance 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). Any scheduled maintenance, as defined in OAC rule 3745-15-06(A)(1), that results in a deviation from a federally enforceable emission limitation (or control requirement) shall be reported in the same manner as described for malfunctions in Standard Term and Condition A.2.c)(1) above.

(Authority for term: OAC rule 3745-77-07(A)(3)(c))

4. Risk Management Plans

If applicable, the permittee shall develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. § 7401 et seq. ("Act"); and, pursuant to 40 C.F.R. 68.215(a), the permittee shall submit either of the following:

a) a compliance plan for meeting the requirements of 40 C.F.R. Part 68 by the date specified in 40 C.F.R. 68.10(a) and OAC 3745-104-05(A); or

b) as part of the compliance certification submitted under 40 C.F.R. 70.6(c)(5), a certification statement that the source is in compliance with all requirements of 40 C.F.R. Part 68 and OAC Chapter 3745-104, including the registration and submission of the risk management plan.

(Authority for term: OAC rule 3745-77-07(A)(4))

5. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

(Authority for term: OAC rule 3745-77-07(A)(5))

6. Severability Clause

A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.

(Authority for term: OAC rule 3745-77-07(A)(6))

7. General Requirements

a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and reissuance, or modification, or for denial of a permit renewal application.

b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.

c) This permit may be modified, reopened, revoked, or revoked and reissued, for cause, in accordance with Standard Term and Condition A.11 below. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.

d) This permit does not convey any property rights of any sort, or any exclusive privilege.

e) 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 request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the

Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

(1) Except as otherwise indicated below, this Title V permit, or permit modification, is effective for five years from the original effective date specified in the permit. In the event that this facility becomes eligible for non-title V permits, this permit shall cease to be enforceable when:the permittee submits an approved facility-wide potential to emit analysis supporting a claim that the facility no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on the permanent shutdown and removal of one or more emissions units identified in this permit; or

(2) the permittee no longer meets the definition of a "major source" as defined in OAC rule 3745-77-01(W) based on obtaining restrictions on the facility-wide potential(s) to emit that are federally enforceable or legally and practically enforceable ; or

(3) a combination of (1) and (2) above.

The permittee shall continue to comply with all applicable OAC Chapter 3745-31 requirements for all regulated air contaminent sources once this permit ceases to be enforceable. The permittee shall comply with any residual requirements, such as quarterly deviation reports, semi-annual deviation reports, and annual compliance certifications covering the period during which this Title V permit was enforceable. All records relating to this permit must be maintained in accordance with law.

(Authority for term: OAC rule 3745-77-01(W), OAC rule 3745-77-07(A)(3)(b)(ii), OAC rule 3745-77(A)(7))

8. 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.

(Authority for term: OAC rule 3745-77-07(A)(8))

9. Marketable Permit Programs

No revision of this permit is required under any approved economic incentive, marketable permits, emissions trading, and other similar programs or processes for changes that are provided for in this permit.

(Authority for term: OAC rule 3745-77-07(A)(9))

10. Reasonably Anticipated Operating Scenarios

The permittee is hereby authorized to make changes among operating scenarios authorized in this permit without notice to the Ohio EPA, but, contemporaneous with making a change from one operating scenario to another, the permittee must record in a log at the permitted facility the scenario under which the permittee is operating. The permit shield provided in these standard terms and conditions shall apply to all operating scenarios authorized in this permit.

(Authority for term: OAC rule 3745-77-07(A)(10))

11. Reopening for Cause

This Title V permit will be reopened prior to its expiration date under the following conditions:

a) Additional applicable requirements under the Act become applicable to one or more emissions units covered by this permit, and this permit has a remaining term of three or more years. Such a reopening shall be completed not later than eighteen (18) months after promulgation of the applicable requirement. No such reopening is required if the effective date of the requirement is later than the date on which the permit is due to expire, unless the original permit or any of its terms and conditions has been extended pursuant to paragraph (E)(1) of OAC rule 3745-77-08.

b) This permit is issued to an affected source under the acid rain program and additional requirements (including excess emissions requirements) become applicable. Upon approval by the Administrator, excess emissions offset plans shall be deemed to be incorporated into the permit, and shall not require a reopening of this permit.

c) The Director of the Ohio EPA or the Administrator of the U.S. EPA determines that the federally applicable requirements in this permit are based on a material mistake, or that inaccurate statements were made in establishing the emissions standards or other terms and conditions of this permit related to such federally applicable requirements.

d) The Administrator of the U.S. EPA or the Director of the Ohio EPA determines that this permit must be revised or revoked to assure compliance with the applicable requirements.

(Authority for term: OAC rules 3745-77-07(A)(12) and 3745-77-08(D))

12. Federal and State Enforceability

Only those terms and conditions designated in this permit as federally enforceable, that are required under the Act, or any of its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA, the State, and citizens under the Act. All other terms and conditions of this permit shall not be federally enforceable and shall be enforceable under State law only.

(Authority for term: OAC rule 3745-77-07(B))

13. Compliance Requirements

a) Any document (including reports) required to be submitted and required by a federally applicable requirement in this Title V permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.

b) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:

(1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.

(2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with paragraph (E) of OAC rule 3745-77-03.

(3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.

(4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.

c) The permittee shall submit progress reports to the appropriate Ohio EPA District Office or local air agency concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:

(1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.

(2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

d) Compliance certifications concerning the terms and conditions contained in this permit that are federally enforceable emission limitations, standards, or work practices, shall be submitted to the Director (the appropriate Ohio EPA District Office or local air agency) and the Administrator of the U.S. EPA in the following manner and with the following content:

(1) Compliance certifications shall be submitted annually on a calendar year basis. The annual certification shall be submitted (i.e., postmarked) on or before April 30th of each year during the permit term.

(2) Compliance certifications shall include the following:

a. An identification of each term or condition of this permit that is the basis of the certification.

b. The permittee's current compliance status.

c. Whether compliance was continuous or intermittent.

d. The method(s) used for determining the compliance status of the source currently and over the required reporting period.

e. Such other facts as the Director of the Ohio EPA may require in the permit to determine the compliance status of the source.

(3) Compliance certifications shall contain such additional requirements as may be specified pursuant to sections 114(a)(3) and 504(b) of the Act.

(Authority for term: OAC rules 3745-77-07(C)(1),(2),(4) and (5) and ORC section 3704.03(L))

14. Permit Shield

a) Compliance with the terms and conditions of this permit (including terms and conditions established for alternate operating scenarios, emissions trading, and emissions averaging, but excluding terms and conditions for which the permit shield is expressly prohibited under OAC rule 3745-77-07) shall be deemed compliance with the applicable requirements identified and addressed in this permit as of the date of permit issuance.

b) This permit shield provision shall apply to any requirement identified in this permit pursuant to OAC rule 3745-77-07(F)(2), as a requirement that does not apply to the source or to one or more emissions units within the source.

(Authority for term: OAC rule 3745-77-07(F))

15. Operational Flexibility

The permittee is authorized to make the changes identified in OAC rule 3745-77-07(H)(1)(a) to (H)(1)(c) within the permitted stationary source without obtaining a permit revision, if such change is not a modification under any provision of Title I of the Act [as defined in OAC rule 3745-77-01(JJ)], and does not result in an exceedance of the emissions allowed under this permit (whether expressed therein as a rate of emissions or in terms of total emissions), and the permittee provides the Administrator of the U.S. EPA and the appropriate Ohio EPA District Office or local air agency with written notification within a minimum of seven days in advance of the proposed changes, unless the change is associated with, or in response to, emergency conditions. If less than seven days notice is provided because of a need to respond more quickly to such emergency conditions, the permittee shall provide notice to the Administrator of the U.S. EPA and the appropriate District Office of the Ohio EPA or local air agency as soon as possible after learning of the need to make the change. The notification shall contain the items required under OAC rule 3745-77-07(H)(2)(d).

(Authority for term: OAC rules 3745-77-07(H)(1) and (2))

16. Emergencies

The permittee shall have an affirmative defense of emergency to an action brought for noncompliance with technology-based emission limitations if the conditions of OAC rule 3745-77-07(G)(3) are met. This emergency defense provision is in addition to any emergency or upset provision contained in any applicable requirement.

(Authority for term: OAC rule 3745-77-07(G))

17. Off-Permit Changes

The owner or operator of a Title V source may make any change in its operations or emissions at the source that is not specifically addressed or prohibited in the Title V permit, without obtaining an amendment or modification of the permit, provided that the following conditions are met:

a) The change does not result in conditions that violate any applicable requirements or that violate any existing federally enforceable permit term or condition.

b) The permittee provides contemporaneous written notice of the change to the Director and the Administrator of the U.S. EPA, except that no such notice shall be required for changes that qualify as insignificant emissions levels or activities as defined in OAC rule 3745-77-01(U). Such written notice shall describe each such change, the date of such change, any change in emissions or pollutants emitted, and any federally applicable requirement that would apply as a result of the change.

c) The change shall not qualify for the permit shield under OAC rule 3745-77-07(F).

d) The permittee shall keep a record describing all changes made at the source that result in emissions of a regulated air pollutant subject to an applicable requirement, but not otherwise regulated under the permit, and the emissions resulting from those changes.

e) The change is not subject to any applicable requirement under Title IV of the Act or is not a modification under any provision of Title I of the Act.

Paragraph (I) of rule 3745-77-07 of the Administrative Code applies only to modification or amendment of the permittee's Title V permit. The change made may require a permit-to-install under Chapter 3745-31 of the Administrative Code if the change constitutes a modification as defined in that Chapter. Nothing in paragraph (I) of rule 3745-77-07 of the Administrative Code shall affect any applicable obligation under Chapter 3745-31 of the Administrative Code.

(Authority for term: OAC rule 3745-77-07(I))

18. Compliance Method Requirements

Nothing in this permit shall alter or affect the ability of any person to establish compliance with, or a violation of, any applicable requirement through the use of credible evidence to the extent authorized by law. Nothing in this permit shall be construed to waive any defenses otherwise available to the permittee, including but not limited to, any challenge to the Credible Evidence Rule (see 62 Fed. Reg. 8314, Feb. 24, 1997), in the context of any future proceeding.

(This term is provided for informational purposes only.)

19. Insignificant Activities or Emissions Levels

Each IEU that has one or more applicable requirements shall comply with those applicable requirements.

(Authority for term: OAC rule 3745-77-07(A)(1))

20. Permit to Install Requirement

Prior to the "installation" or "modification" of any "air contaminant source," as those terms are defined in OAC rule 3745-31-01, a permit to install must be obtained from the Ohio EPA pursuant to OAC Chapter 3745-31.

(Authority for term: OAC rule 3745-77-07(A)(1))

21. 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.

(Authority for term: OAC rule 3745-77-07(A)(1))

22. Permanent Shutdown of an Emissions Unit

The permittee may notify Ohio EPA of any emissions unit that is permanently shut down by submitting a certification from the responsible official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the responsible official that the emissions unit was permanently shut down.

After the date on which an emissions unit is permanently shut down (i.e., that 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 and therefore ceases to meet the definition of an "emissions unit" as defined in OAC rule 3745-77-01(O)), rendering existing permit terms and conditions irrelevant, the permittee shall not be required, after the date of the certification and submission to Ohio EPA, to meet any Title V permit requirements applicable to that emissions unit, except for any residual requirements, such as the quarterly deviation reports, semi-annual deviation reports and annual compliance certification covering the period during which the emissions unit last operated. All records relating to the shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law.

No emissions unit certified by the responsible official as being permanently shut down may resume operation without first applying for and obtaining a permit to install pursuant to OAC Chapter 3745-31.

(Authority for term: OAC rule 3745-77-01)

23. Title VI Provisions

If applicable, the permittee shall comply with the standards for recycling and reducing emissions of ozone depleting substances pursuant to 40 CFR Part 82, Subpart F, except as provided for motor vehicle air conditioners in Subpart B of 40 CFR Part 82:

a) Persons opening appliances for maintenance, service, repair, or disposal must comply with the required practices specified in 40 CFR 82.156.

b) Equipment used during the maintenance, service, repair, or disposal of appliances must comply with the standards for recycling and recovery equipment specified in 40 CFR 82.158.

c) Persons performing maintenance, service, repair, or disposal of appliances must be certified by an approved technician certification program pursuant to 40 CFR 82.161.

(Authority for term: OAC rule 3745-77-01(H)(11))

24. Reporting Requirements Related to Monitoring and Record Keeping RequirementsUnder State Law Only

The permittee shall submit required reports in the following manner:

a) Reports of any required monitoring and/or record keeping 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 (i) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and record keeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) 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. In identifying each deviation, the permittee shall specify the applicable requirement for which the deviation occurred, describe each deviation, and provide the magnitude and duration of each deviation. 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.)

25. Records Retention RequirementsUnder State Law Only

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.

26. 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.

(Authority for term: OAC rule 3745-77-07(C))

27. 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).

28. 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.

(Authority for term: OAC rule 3745-77-01(C))

29. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

If no emission limitation (or control requirement), operational restriction and/or control device parameter limitation 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) by January 31, April 30, July 31, and October 31 of each year; and each report shall cover the previous calendar quarter.

The permittee is not required to submit a quarterly report which states that no deviations occurred during that quarter for the following situations:

a) where an emissions unit has deviation reporting requirements for a specific emission limitation, operational restriction, or control device parameter limitation that override the deviation reporting requirements specified in Standard Term and Condition A.2.c)(2); or

b) where an uncontrolled emissions unit has no monitoring, record keeping, or reporting requirements and the emissions unit's applicable emission limitations are established at the potentials to emit; or

c) where the company's responsible official has certified that an emissions unit has been permanently shut down.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:

   a) None.

2. There are no storage piles at this facility and this permit does not authorize the permittee to establish and maintain storage piles at this facility.

   [Authority for term: OAC rule 3745-77-07(A)(13)]

3. The following insignificant emissions units at this facility must comply with all applicable State and federal regulations, and well as any emission limitations and/or control requirements contained within the identified permit to install for the emissions unit. The insignificant emissions units listed below are subject to one or more applicable requirements contained in a permit to install or in the SIP-approved versions of OAC Chapters 3745-17, 3745-18, and/or 3745-21.

   a) P001 – Portable Pumps [diesel and gasoline fired]

   [Authority for term: OAC rule 3745-77-07(A)(13)]

C. Emissions Unit Terms and Conditions

1. F002, Roadways and Parking Areas

Operations, Property and/or Equipment Description:

Plant Roadways and Parking Areas

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) None.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3) [PTI 03-17343 issued 09/06/07]	113.01 tons fugitive particulate emissions (PE)/yr from paved and unpaved roadways and parking areas 28.10 tons fugitive particulate matter less than 10 microns in size (PM10)/yr <u>Paved Roadways and Parking Areas</u> No visible PE except for one minute during any 60-minute period Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [See b)(2)a., b)(2)c., b)(2)e. and b)(2)g. through b)(2)i] <u>Unpaved Roadways and Parking Areas</u> No visible PE except for three minutes during any 60-minute period Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [See b)(2)b., and b)(2)d. through b)(2)i.]
b.	OAC rule 3745-17-07(B)	See b)(2)j.
c.	OAC rule 3745-17-08(B)	See b)(2)k.

(2) Additional Terms and Conditions

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

paved roadways	paved parking areas
all paved roadways	all paved parking areas

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

unpaved roadways	unpaved parking areas
all unpaved roadways	all unpaved parking areas

c. The permittee shall employ best available control measures on all paved roadways and parking areas 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 treat the paved roadways and parking areas by flushing with water at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.

d. The permittee shall employ best available control measures on all unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to treat the unpaved roadways and parking areas with watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.

e. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for a paved or unpaved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.

f. Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface due to the application of certain types of dust suppressants, may be controlled with the control measure(s) specified above for paved surfaces. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking areas.

g. The permittee shall promptly remove, in such a manner as to minimize or prevent re-suspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.

h. Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.

i. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.

j. 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).

k. The facility 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)(1).

c) Operational Restrictions

(1) None.

d) Monitoring and/or Recordkeeping Requirements

(1) Except as otherwise provided in this section, the permittee shall perform inspections of the roadways and parking areas in accordance with the following frequencies:

paved roadways and parking areas	minimum inspection frequency
all	Once per day of operation

unpaved roadways and parking areas	minimum inspection frequency
all	Once per day of operation

[PTI 03-17343 and OAC rule 3745-77-07(C)(1)]

(2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

[PTI 03-17343 and OAC rule 3745-77-07(C)(1)]

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

a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;

b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;

c. the dates the control measures were implemented; and

d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in d)(3)d. shall be kept separately for (i) the paved roadways and parking areas and (ii) the unpaved roadways and parking areas, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

[PTI 03-17343 and OAC rule 3745-77-07(C)(1)]

e) Reporting Requirements

(1) The permittee shall submit deviation (excursion) reports that identify the following:

a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and

b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.

The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

[PTI 03-17343 and OAC rule 3745-77-07(C)(1)]

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:

113.01 tons fugitive PE/yr; 28.10 tons fugitive PM10/yr

Applicable Compliance Method:

Compliance with the fugitive PE and PM10 limitations shall be determined by using the emission factor equations in Section 13.2.1 (for paved roadways) and Section 13.2.2 (for unpaved roadways), in Compilation of Air Pollutant Emission Factors, AP-42, Fifth Ed., Volume 1 (revised 12/03). Should further updates in AP-42 occur, the most current equations shall be used. These emission limits were based on the maximum vehicle miles traveled per year, and a 95% control efficiency for PE and PM10.

[PTI 03-17343 and OAC rule 3745-77-07(C)(1)]

b. Emission Limitation:

No visible PE from the paved roadways and parking areas except for one minute during any 60-minute period

Applicable Compliance Method:

If required, compliance with the visible PE limitation listed above shall be determined in accordance with Method 22 of 40 CFR, Part 60, Appendix A.

[PTI 03-17343 and OAC rule 3745-77-07(C)(1)]

c. Emission Limitation:

No visible PE from the unpaved roadways and parking areas except for three minutes during any 60-minute period

Applicable Compliance Method:

If required, compliance with the visible PE limitation listed above shall be determined in accordance with Method 22 of 40 CFR, Part 60, Appendix A.

[PTI 03-17343 and OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) None.

2. P901, MSW Landfill and Open Flare

Operations, Property and/or Equipment Description:

Municipal Solid Waste and Asbestos Landfill with Active Gas Collection and Open Flare (Modification to Allow for Expansion)

a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.

(1) b)(1)g. through b)(1)i. and d)(15) through d)(18)

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) [PTI 03-14036 issued 09/07/04]	91.36 tons fugitive nonmethane organic compounds (NMOC)/yr 14,290.10 tons fugitive methane/yr 19.99 tons fugitive particulate emissions (PE)/yr Visible fugitive PE shall not exceed 20% opacity, as a three-minute average, from operations not associated with asbestos-containing material (ACM) Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [See b)(2)f. through b)(2)i.] ACM requirements and limitations [See b)(2)j. through b)(2)q.] <u>Emissions from the Flare</u> 48.05 lbs carbon monoxide (CO)/hr; 210.46 tons CO/yr 5.71 lbs nitrogen oxides (NOx)/hr; 25.01 tons NOx/yr

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		1.99 lbs sulfur dioxide (SO2)/hr; 8.73 tons SO2/yr 0.76 lb NMOC/hr; 3.32 tons NMOC/yr 1.00 lb hydrogen chloride (HCl)/hr; 4.38 tons HCl/yr 2.43 lbs particulate matter less than 10 microns in size (PM10)/hr; 10.64 tons PM10/yr [See b)(2)d.] See b)(2)a.
b.	OAC rule 3745-17-07(B)(1)	See b)(2)b.
c.	OAC rule 3745-17-08(B)	See b)(2)c.
d.	40 CFR 60.750 et seq. [NSPS Subpart WWW]	See b)(2)q. through b)(2)u., c)(1) through c)(6), d)(1) through d)(9) and e)(2) through e)(5)
e.	40 CFR 61.140 et seq. [NESHAP Subpart M]	See b)(2)e.
f.	40 CFR 63.1930 [MACT Subpart AAAA]	See e)(4), e)(5) and e)(6)
g.	OAC rule 3745-20-05	See b)(2)v.
h.	OAC rule 3745-20-06	See b)(2)v.
i.	OAC rule 3745-20-07	See b)(2)v.

(2) Additional Terms and Conditions

a. The requirements of this rule include compliance with the terms and conditions of this permit. The requirements of this rule also include compliance with the requirements of 40 CFR, Part 60, Subpart WWW and 40 CFR, Part 63, Subpart AAAA.

b. This emissions unit is exempt from the visible PE limitations specified in OAC rule 3745-17-07(B) pursuant to OAC rule 3745-17-07(B)(11)(e).

c. This facility is not located within an “Appendix A” area as identified in OAC rule 3745-17-08. Therefore, pursuant to OAC rule 3745-17-07(A), this emissions unit is exempt from the requirements of OAC rule 3745-17-08(B).

d. All PE from the flare is assumed to be PM10.

e. The requirements established pursuant to this rule are less stringent or equivalent to the requirements of OAC rule 3745-31-05(A)(3).

f. The landfill fugitive dust operations/sources that are covered by this permit and subject to the requirements of OAC rule 3745-31-05 are listed below:

i. Cell load-in operation

(a) Soil loading

(b) Soil unloading

ii. Surface working operations

(a) Landfill surface removal

(b) Cover/construction soil placement

iii. Clay/soil stockpile

iv. Wind erosion of unvegetated surfaces.

g. The permittee shall employ best available control measures for the above-identified landfill fugitive dust operations/sources 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 treat with water and/or any other suitable dust suppression chemicals at sufficient treatment frequencies to ensure compliance.

h. The above-mentioned control measures shall be employed if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during any such operation until further observation confirms that use of the measures is unnecessary.

Implementation of the control measures shall not be necessary for fugitive dust sources which are covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.

i. Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

j. There shall be no visible emissions from asbestos-containing materials (ACM) during on-site transportation, transfer, deposition, or compacting operations.

k. The permittee shall inspect each load of ACM delivered to the facility. The inspection shall consist of a visual examination to ensure that each shipment of ACM is received intact, leak-tight containers labeled with appropriate hazard warning labels, the name of the generator, and the location of waste generation. The inspection also shall determine whether the waste shipment records

accompany the consignment and accurately describe the waste material and quantity.

If on the basis of the inspection, the waste material is found to be improperly received, the load shall be disposed of in accordance with the procedures in the "Asbestos Spill Contingency Plan", and the discrepancy shall be noted on the waste shipment record.

l. Deposition and burial operations shall be conducted in a manner which prevents handling by equipment or persons that causes asbestos-containing waste materials to be broken up or dispersed before the materials are buried.

m. The permittee shall cover and compact asbestos wastes in accordance with the following:

i. As soon as practicable after the placement of friable asbestos, but no later than the end of each working day, the asbestos-containing waste materials deposited at the site during the operating day shall be covered with at least 12 inches of non-ACM. Once the ACM are covered, the area may be compacted.

ii. Care should be taken to ensure that disposed asbestos shall not be re-excavated in subsequent operations. Any accidentally exposed material shall be immediately recovered in accordance with the provisions of condition i above.

iii. ACM shall be separated from the landfill final grade by no less than 24 inches of compacted non-ACM and a permanent cover of vegetation, or in accordance with current requirements for closure, whichever is more stringent.

n. The permittee shall implement and maintain an "Asbestos Disposal Operating Procedure and Spill Contingency Plan" ("Plan") consisting of; authorized personnel training, inspection and disposal operating procedures, non-conforming load response procedures, inventory and maintenance procedures for safety and emissions control equipment, record keeping procedures, and emergency notification procedures. Authorized personnel shall be knowledgeable in the procedures, and the Plan shall be available for inspection at this facility at all times.

o. Emissions control equipment shall be available for wetting and containing asbestos in the event of a release or non-conforming load disposal. All equipment required to implement the Plan shall be maintained in accordance with good engineering practices to ensure that the equipment is in a ready-to-use condition and in an appropriate location for use.

p. The permittee shall establish restricted access, adequate to deter the unauthorized entry of the general public and any unauthorized personnel, within 100 feet of the unloading, deposition, and burial areas of the asbestos-containing waste material. A hazard warning shall display the following information on signs

not less than 20 x 14 inches in size, posted so they are visible before entering an area with asbestos waste disposal operations in progress:

"ASBESTOS WASTE DISPOSAL SITE
DO NOT CREATE DUST
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH"

The letter sizes and styles shall be of visibility at least equal to the following specifications: one inch sans serif, gothic or block in the first and second line; and at least three-fourths inches sans serif, gothic or block in the third line; and fourteen point gothic in the fourth line. Spacing between any two lines must be at least equal to the height of the upper of the two lines.

q. Since the calculated NMOC emission rate for this facility is greater than 50 megagrams per year (Mg/yr), the permittee shall operate a collection system and control system that captures the gas generated within the landfill as required in either b)(2)r. or b)(2)s. below.

[40 CFR Part 60.752(b)(2)(ii)]

r. The active gas collection system shall satisfy the following requirements, as specified in 40 CFR Part 60.752(b)(2)(ii)(A):

i. The system shall be designed to handle the maximum expected gas flow rate from the entire area of the landfill that warrants control over the intended use period of the gas control or treatment system equipment.

ii. The system shall collect gas from each area, cell, or group of cells in the landfill in which the initial solid waste has been placed for a period of 5 years or more if active, or 2 years or more if closed or at final grade.

iii. The system shall collect gas at a sufficient extraction rate.

iv. The system shall be designed to minimize off-site migration of subsurface gas.

[40 CFR 60.752 (b)(2)(ii)(A)]

s. A passive collection system shall satisfy the following requirements, as specified in 40 CFR Part 60.752(b)(2)(ii)(B):

i. The system shall comply with the provisions specified in b)(2)r. (as applicable); and

ii. The system shall be installed with liners on the bottom and all sides in all areas in which gas is to be collected. The liners shall be installed as required under 40 CFR 258.40.

[40 CFR 60.752 (b)(2)(ii)(B)]

t. The collected gas is normally vented to BioEnergy LLC (Facility ID: 0362010127) to be combusted in internal combustion engines for the purpose of generating electricity. The internal combustion engines at BioEnergy LLC are required to comply with the control requirements of 40 CFR, Part 60, Subpart WWW. Any collected gas which is not vented to BioEnergy LLC shall be vented to an open flare designed and operated as follows:

i. The flare shall be designed for and operated with no visible emissions, except for periods of time not to exceed a totally of 5 minutes during any two consecutive hours.

ii. The flare shall be operated with a flame present at all times.

iii. The permittee shall comply with either the requirements in paragraphs (a) and (b) or the requirements in paragraph (c):

(a) Flares shall be used only with the net heating value of the gas being combusted being 11.2 MJ/scm (300 BTU/scf) or greater if the flare is steam-assisted or air assisted; or with the net heating value of the gas being combusted being 7.45 MJ/scm (200 BTU/scf) or greater if the flare is non-assisted. The net heating value of the gas being combusted shall be determined as follows:

$H_t = K \sum_{f=1}^{n} C_i H_i$

Where

H_t= neat heating value of the sample, MJ/scm; where the net enthalpy per mole of off-gas is based on combustion at 25°C and 760 mmHg, but the standard temperature for determining the volume corresponding to on mole is 20°C;

K=constant, 1.740×10^{-7} (1/ppm)(g mole/scm)(MJ/kcal)
Where the standard temperature for (g mole/scm) is 20°C;

C_i= concentration of sample component i in ppm on a wet basis, as measured for organics by Reference Method 18 and measured for hydrogen and carbon monoxide by ASTM D1946-77; and

H_i= net heat of combustion of sample component i, kcal/g mole at 25°C and 760 mmHg. The heats of combustion may be determined using ASTM D2382-76 (incorporated by reference as specified in 40 CFR Part 60.17) if published values are not available or cannot be calculated.

(b) A steam-assisted and non-assisted flare shall be designed for and operated with an exit velocity of less than 18.3 m/sec (60 ft/sec), except:

(i) steam-assisted and non-assisted flares designed for and operated with an exit velocity equal to or greater than 18.3 m/sec but less than 122 m/sec (400 ft/sec) are allowed if the net heating value of the gas being combusted is greater than 37.3 MJ/scm (1,000 BTU/scf); and

(ii) steam-assisted and non-assisted flares designed for and operated with an exit velocity of less than the velocity, Vmax, and less than 122 m/sec (400 ft/sec) are allowed, as determined by the following equation:

Log10 (Vmax) = (HT + 28.8)/31.7

where

Vmax = maximum permitted velocity, M/sec
28.8 = constant
31.7 = constant
HT = net heating value as determined in section b)(2)r.iii.(a) above

(iii) Flares shall be used that have a diameter of 3 inches or greater, are non-assisted, have a hydrogen content of 8.0 percent (by volume) or greater, and are designed for and operated with an exit velocity less than 37.2 m/sec (122 ft/sec) and less than the velocity, Vmax, as determined by the following equation:

Vmax = (Xh2 - K1)*K2

where

Vmax = maximum permitted velocity, m/sec
K1 = constant, 6.0 volume-percent hydrogen
K2 = constant, 3.9(m/sec)/volume-percent hydrogen
XH2 = volume-percent of hydrogen, on a wet basis, as calculated by using the American Society for Testing and Materials (ASTM) Method D1946-77.

(c) Air-assisted flares shall be designed and operated with an exit velocity less than the velocity, Vmax, as determined by the following equation:

Vmax= 8.706 + 0.7084 (HT)

where

Vmax= maximum permitted velocity, m/sec
8.706= constant
0.7084= constant
HT= net heating value as determined in section b)(2)r.iii.(a) above

u. The collection and control system may be capped or removed provided that all of the following conditions are met, as specified in 40 CFR Part 60.752(b)(2)(v):

i. The landfill should no longer be accepting solid waste and be permanently closed, pursuant to 40 CFR Part 60.258.60.

ii. The collection and control system shall have been in operation a minimum of 15 years.

iii. The calculated NMOC gas produced by the landfill shall be less than 55 tons per year on three successive test dates. The test dates shall be no less than 90 days apart, and no more than 180 days apart.

v. The requirements of this rule are also equivalent to the requirements of OAC rule 3745-31-05(A)(3).

w. The permittee shall place each well or design component as specified in the approved design plan. Each well shall be installed no later than 60 days after the date on which the initial solid waste has been in place for a period of 5 years or more if active; or 2 years or more if closed or at final grade.

[40 CFR 60.755(b)]

c) Operational Restrictions

(1) The permittee shall operate the collection system with negative pressure at each well except under the following conditions:

a. A fire or increased well temperature. (The permittee shall record instances when positive pressure occurs in efforts to avoid a fire. These records shall be submitted with the annual reports)

b. Use of a geomembrane or synthetic cover. (The permittee shall develop acceptable pressure limits in the design plan.)

c. A decommissioned well. (A well may experience a static positive pressure after shut down to accommodate for declining flows. All design changes shall be approved by the Ohio EPA.)

[PTI 03-14036, OAC rule OAC rule 3745-77-07(A)(1), and 40 CFR 60.753(b)]

(2) The permittee shall operate each interior wellhead in the collection system with a landfill gas temperature less than 55 degrees Celsius and with either a nitrogen level less than 20 percent or an oxygen level less than 5 percent. If the well exceeds one of these operating parameters, action will be initiated to correct the exceedance within 5 calendar days. If correction of the exceedance cannot be achieved within 15 calendar days of the first measurement, the gas collection system shall be expanded to correct the exceedance within 120 days of the initial exceedance. Any attempted or corrective measure shall not cause exceedances of other operational or performance standards. An alternative timeline for correcting the exceedance may be submitted to the Northwest District Office.

The permittee may establish a higher operating temperature, nitrogen, or oxygen value at a particular well. A higher operating value demonstration shall show supporting data that the elevated parameter does not cause fires or significantly inhibit anaerobic decomposition by killing methanogens.

a. The nitrogen level shall be determined using 40 CFR, Part 60, Appendix A, Method 3C, unless an alternative test method is approved by the Administrator.

b. The oxygen level shall be determined by an oxygen meter using 40 CFR, Part 60, Appendix A, Method 3A, unless an alternative test method is approved by the Administrator, except that:

i. The span shall be set so that the regulatory limit is between 20 and 50 percent of the span.

ii. A data recorder is not required.

iii. Only two calibration gases are required, a zero and span, and ambient air may be used as the span.

iv. A calibration error check is not required.

v. The allowable sample bias, zero drift, and calibration drift are plus or minus 10 percent.

[PTI 03-14036, OAC rule OAC rule 3745-77-07(A)(1), and 40 CFR 60.753(c)]

(3) The permittee shall operate the collection system so that the methane concentration is less than 500 parts per million above background at the surface of the landfill. To determine if this level is exceeded, the permittee shall conduct surface testing on a quarterly basis around the perimeter of the collection area and along a pattern that traverses the landfill at 30-meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover. The permittee may establish an alternative traversing pattern that ensures equivalent coverage. A surface monitoring design plan shall be developed that

includes a topographical map with the monitoring route and the rationale for any site-specific deviations from the 30-meter intervals. Areas with steep slopes or other dangerous areas may be excluded from the surface testing.

[PTI 03-14036, OAC rule OAC rule 3745-77-07(A)(1), and 40 CFR 60.753(d)]

(4) The permittee shall operate the gas collection and control system such that all collected gases are vented to a control system designed and operated in compliance with b)(2)q. In the event the collection or control system is inoperable, the gas mover system shall be shut down and all valves in the collection and control system contributing to venting of the gas to the atmosphere shall be closed within 1 hour.

(5) The permittee shall operate the control and/or treatment system at all times when the collected gas is routed to the system.

[PTI 03-14036, OAC rule 3745-77-07(A)(1), and 40 CFR 60.753(f)]

(6) A pilot flame shall be maintained at all times in the flare's pilot burner, or a fail-close valve shall be installed to cease gas flow to the flare when there is no flame present.

[PTI 03-14036, OAC rule 3745-77-07(A)(1) and 40 CFR 60.18]

d) Monitoring and/or Recordkeeping Requirements

(1) For the active gas collection system, the permittee shall install a sampling port for each well and record the following information on a monthly basis:

a. The gauge pressure in the gas collection header at each individual well;

b. The nitrogen or oxygen concentration in the landfill gas; and

c. The temperature of the landfill gas.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), 40 CFR 60.755(a)(3) and (5) and 40 CFR 60.756(a)]

(2) The permittee shall monitor surface concentrations of methane on a quarterly basis as follows:

a. Monitor surface concentrations of methane along the entire perimeter of the collection area and along a serpentine pattern spaced 30 meters apart (or a site-specific established spacing) for each collection area.

b. The background concentration shall be determined by moving the probe inlet upwind and downwind outside the boundary of the landfill at a distance of at least 30 meters from the perimeter wells.

c. Surface emission monitoring shall be performed in accordance with section 4.3.1 or Method 21 of Appendix A of 40 CFR Part 60, except that the probe inlet shall

be placed within 5 to 10 centimeters of the ground. Monitoring shall be performed during typical meteorological conditions.

d. Any reading of 500 parts per million or more above background at any location shall be recorded as a monitored exceedance and the actions specified below shall be taken. As long as the specified actions are taken, the exceedance is not a violation of the operational requirements listed in c)(3):

i. The location of each monitored exceedance shall be marked and the location recorded.

ii. Cover maintenance or adjustments to the vacuum of the adjacent wells to increase the gas collection in the vicinity of each exceedance shall be made and the location shall be remonitored within 10 calendar days of detecting the exceedance.

iii. If the remonitoring of the location shows a second exceedance, additional corrective action shall be taken and the location shall be monitored again within 10 days of the second exceedance. If the remonitoring shows a third exceedance for the same location, a new well or other collection device shall be installed within 120 calendar days of the initial exceedance. An alternative remedy to the exceedance, such as upgrading the blower, header pipes, or control device, and a corresponding time line for installation may be submitted to the Ohio EPA for approval. No further monitoring of that location is required until the action specified has been taken.

iv. Any location that initially showed an exceedance but has methane concentration less than 500 ppm methane above background at the 10-day remonitoring specified above shall be remonitored 1 month from the initial exceedance. If the 1-month remonitoring shows a concentration less than 500 parts per million above background, no further monitoring of that location is required until the next quarterly monitoring period. If the 1-month remonitoring shows an exceedance, the actions specified above shall be taken.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), 40 CFR 60.755(c)(1),(2), and (3); 40 CFR 60.755(d)(1) through (4)]

(3) The permittee shall install, calibrate, maintain and operated according to the manufacturer's specifications the following equipment:

a. A heat sensing device, such as an ultraviolet beam sensor or thermocouple, at the pilot light or the flame itself to indicate the continuous presence of a flame; and

b. A gas flow rate measuring device that shall record the flow to the control device at least every 15 minutes.

c. If a gas flow rate measuring device is not installed then the permittee shall secure the bypass line valve in the closed position with a car-seal or a lock-and-key type configuration. A visual inspection of the seal or closure mechanism shall be performed at least once every month to ensure that the valve is maintained in the closed position and that the gas flow is not diverted through the bypass line.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1), and 40 CFR 60.756(c)]

(4) The permittee shall maintain the following information for the life of the control equipment as measured during the initial performance test or compliance demonstration:

a. The maximum expected gas generation flow rate as calculated based on the following:

i. For sites with unknown year-to-year solid waste acceptance rate:

$Qm=2L_oR(e^{-kc}-e^{-kt})$

Where,

Qm= maximum expected gas generation flow rate, cubic meters per year
L_o= methane generation potential, cubic meters per megagram solid waste
R= average annual acceptance rate, megagrams per year
k= methane generation rate constant, $year^{-1}$
t= age of the landfill at equipment installation plus the time the owner or operator intends to use the gas mover equipment or active life of the landfill, whichever is less (if the equipment is installed after closure, t is the age of the landfill at installation, years)
c= time since closure, years (for an active landfill C=0 and e^{-kc}=1)

ii. For sites with known year-to-year solid waste acceptance rate:

$Qm= \sum_{i=1}^{n} 2K\ L_oM_i\ (e^{-kt_i})$

Where,

Qm= maximum expected gas generation flow rate, cubic meters per year
K= methane generation rate constant, per year
L_o= methane generation potential, cubic meters per megagram solid waste
M_i= mass of solid waste in the ith section, megagrams
T_i= age of the ith section, years

iii. If a collection and control system has been installed, actual flow data may be used to project the maximum expected gas generation flow rate instead of, or in conjunction with, the equations in paragraphs A.III.5.a.i. and ii. If the landfill is still accepting waste, the actual measure flow data will not equal the maximum expected gas generation rate, so calculations using the equations in paragraphs d)(5)a.i. or ii.or other methods shall be

used to predict the maximum expected gas generation rate over the intended period of use of the gas control system equipment. The permittee may use another method to determine the maximum gas generation flow rate if the method has been approved by the Ohio EPA.

b. The density of wells, horizontal collectors, surface collectors, or other gas extraction devices determined using the procedures specified in 40 CFR Part 60.759(a)(1);

c. The flare type (i.e., steam-assisted, air-assisted, or non-assisted);

d. All visible emission readings;

e. Heat content determinations of the gas;

f. Flow rate or bypass flow rate measurements;

g. Exit velocity determinations made during the performance test as specified in 40 CFR Part 60.18; and

h. Continuous records of the flare flame monitoring and all periods of operation during which the flare flame is absent.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), 40 CFR 60.759(a)(3) and 40 CFR 60.754(a)(1)]

(5) The permittee shall properly install, operate, and maintain a device to continuously monitor the flare flame when the emissions unit is in operation. The monitoring device and any recorder shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manuals. In addition, the permittee shall record the following information each day:

a. All periods during which there was no flame; and

b. The downtime for the flare and monitoring equipment when the collection and control system is in operation.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), and 40 CFR 60.758(c)(4)]

(6) The permittee shall maintain, for the life of the collection system, an up-to-date, readily accessible plot map showing each existing and planned collector in the system and providing a unique identification location for each collector.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), and 40 CFR 60.758(d)]

(7) The permittee shall keep for at least 5 years up-to-date, readily accessible, on-site records of the maximum design capacity of the landfill, the current amount of solid waste in place, and the year-by-year waste acceptance rate. Off-site records may be maintained if they are retrievable within 4 hours. Either hard copy or electronic formats are acceptable. These records may also be required by the Ohio EPA, Division of Solid and Infectious Waste Management, and shall satisfy this permit condition.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), and 40 CFR 60.758(e)]

(8) The permittee shall conduct surface testing around the perimeter of the collection area along a pattern that traverses the landfill at 30-meter intervals and where visual observations indicate elevated concentrations of landfill gas, such as distressed vegetation and cracks or seeps in the cover.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), 40 CFR 60.755(c)(1),(2), and (3) and 40 CFR 60.755(d)(1) through (4)]

(9) The permittee shall maintain a waste shipment record for all ACM. The waste shipment record shall be legible, complete, signed and dated by the waste generator and waste disposal site operator, and shall include the following information:

a. The name of the work site or facility where the asbestos-containing waste was generated and the mailing address and telephone number of the facility owner.

b. The name, mailing address, and telephone number of the owner or operator (waste generator) responsible for handling, packing, marking, and labeling the asbestos-containing waste material.

c. The name, mailing address, telephone number, and site location of the active waste disposal site designated by the generator to receive the asbestos-containing waste material for disposal.

d. The name and address of the local, State, or U.S. EPA regional office responsible for administering the asbestos NESHAP program.

e. A description of the asbestos-containing waste materials included in the waste shipment.

f. The number and type of containers included in the waste shipment.

g. The approximate volume of asbestos-containing waste material included in the waste shipment, in cubic yards.

h. Special handling instructions or additional information relative to the waste shipment the generator may specify.

i. A certification that the contents of this consignment are fully and accurately described by proper shipping name and are classified, packed, marked, and labeled, and are in all respects in proper condition for transport by highway according to applicable international and governmental regulations.

j. The name, address, and telephone number of the transporter.

k. A signature by the transporter to acknowledge receipt of the asbestos-containing waste shipment described by the waste generator in section d)(10)a. through d)(10)j.

l. A discrepancy indication space to be completed by the transporter or waste shipment owner or operator if any improperly contained asbestos waste is observed or if there is any discrepancy in the quantity of asbestos shipped and the quantity of asbestos waste received at the asbestos waste disposal site.

m. A signature by the waste disposal site operator to acknowledge receipt of the

n. asbestos-containing waste shipment described by the waste generator in section d)(10)a. through d)(10)i., except as noted in the discrepancy indication space.

As soon as possible and no longer than thirty days after receipt of the waste, send the original completed copy of the signed waste shipment record to the waste generator and retain the remaining copy for the waste site disposal record.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(10) The permittee shall maintain records of the location, depth, area, and quantity in cubic yards of all asbestos-containing waste material within the disposal site, on a map or a diagram of the disposal area.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(11) Except as otherwise provided in this section, the permittee shall perform inspections of the landfill fugitive dust operations/sources in accordance with the following frequencies:

landfill fugitive dust operations/sources	minimum inspection frequency
landfill surface removal	once per day of operation
soil loading	once per day of operation
soil unloading	once per day of operation
cover/construction soil placement	once per day of operation
clay-soil stockpile	once per day of operation
wind erosion of unvegetated surfaces	once per day of operation

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(12) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures for particulate emissions. The inspections shall be performed during representative, normal operating conditions. No inspection shall be necessary for a for a landfill fugitive dust operation/source that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above identified event shall be performed as soon as such event(s) has (have) ended, except if the next inspection is within one week.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(13) The permittee may, upon receipt of written approval from the Northwest District Office, 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.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(14) 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 d)(15)d. shall be kept separately for each landfill fugitive dust operation/source listed above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(15) The Permit to Install (PTI) for emissions unit P901 was evaluated based on the pollutants and the design parameters of the emissions unit; as specified by the permittee in the PTI 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 PTI application and the SCREEN 3.0 model (or other Ohio EPA approved model). The predicted 1-hour Maximum Acceptable Ground-Level Concentration (MAGLC). The following summarizes the results of the modeling for the "worst case" pollutant(s):

Pollutant; Hydrogen Chloride
TLV (mg/m3): 2.20
Maximum Hourly Emission Rate (lbs/hr): 1.00
Predicted 1-hour MAGLC (ug/m3): 0.2963
MAGLC (ug/m3): 50

The permittee, has demonstrated that emissions of hydrogen chloride, from emissions unit P901, is calculated to be less than eighty per cent of the maximum acceptable ground level concentration (MAGLC); any new raw material or processing agent shall not be applied without evaluating each component toxic air contaminant in accordance with the "Toxic Air Contaminant Statute", ORC 3704.03(F).

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(16) Physical changes to or changes in the method of operation of this emissions unit after its installation or modification could affect the parameters used to determine whether or not the "Air Toxic 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 applying the "Air Toxic Policy" include the following:

a. changes in the pollutants emitted, or the use of new materials, that would result in emissions 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 previously modeled;

b. changes to the emissions unit 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.).

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(17) 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(VV)(1)(a)(ii), and a modification of the existing PTI will not be required. If the change(s) is (are) defined as modification under other provisions of the modification definition [other than (VV)(1)(a)(ii)], then the permittee shall obtain a final PTI prior to the change.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(18) The permittee shall collect, record, and retain the following information when it conducts evaluation to determine that the changed emissions unit will still 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. where 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.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

e) Reporting Requirements

(1) Any breakdown or malfunction of the landfill gas collection and control system resulting in the emission of raw landfill gas emissions to the atmosphere shall be reported to the Northwest District Office within one hour after the occurrence, or as soon reasonably possible, and immediate remedial measures shall be undertaken to correct the problem and prevent further emissions to the atmosphere.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(2) The permittee shall submit a closure report to the Northwest District Office within 30 days of waste acceptance cessation. The Ohio EPA may request additional information as may be necessary to verify that permanent closure has taken place in accordance with the requirements of 40 CFR Part 258.60. If a closure report has been submitted to the Ohio EPA, no additional wastes may be placed into the landfill without filing a notification of modification as described in 40 CFR Part 60.7(a)(4).

[PTI 03-14036, OAC rule 3745-77-07(C)(1), and 40 CFR 60.757(d)]

(3) The permittee shall submit an equipment removal report to the Northwest District Office 30 days prior to removal or cessation of operation of the control equipment. The equipment removal report shall contain the information specified in 40 CFR Part 60.757(e)(1). The Ohio EPA may request additional information as may be necessary to verify that all of the conditions for removal in 40 CFR Part 60.752(b)(2)(v) have been met.

[PTI 03-14036, OAC rule 3745-77-07(C)(1) and 40 CFR 60.752(b)]

(4) The permittee shall submit reports of the recorded information below every 6 months:

a. Value and length of time for exceedance of applicable parameters contained in sections c)(1), c)(2) and c)(5).

b. Description and duration of all periods when the gas stream is not vented to BioEnergy LLC and is diverted from the control device (flare) through a bypass line or the indication of bypass flow.

c. Description and duration of all periods when the control device (flare) was not operating for a period exceeding 1 hour and length of time the control device was not operating.

d. All periods when the collection system was not operating in excess of 5 days.

e. The location of each exceedance of the 500 parts per million methane concentration and the concentration recorded at each location for which an exceedance was recorded in the previous month.

f. The date of installation and the location of each well or collection system expansion added pursuant to 40 CFR Part 60.755(a)(3), (b), and (c)(4).

These reports shall be submitted by January 31 and July 31 for the previous six calendar months.

[PTI 03-14036, OAC rule 3745-77-07(C)(1), and 40 CFR 63.1955(c) and 60.757(f)]

(5) The permittee shall submit quarterly reports summarizing the asbestos disposal activities. The reports shall contain the following information:

a. The name, address, and location of the facility; the calendar period covered by the report; and any changes in the methods of storage or the disposal operations.

b. A list of all asbestos-containing waste consignments received, including the date received, the name of the waste generator, the name and location of the facility where the load originated, the quantity of asbestos, and any discrepancy or non-conformity discovered.

These quarterly reports shall be submitted no later than January 31, April 30, July 31, and October 31 and shall cover the previous calendar quarters.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(6) As soon as possible and no longer than 30 days after receipt of the waste (ACM), the permittee shall send a copy of the signed waste shipment record to the waste generator.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(7) Upon discovering a discrepancy between the quantity of waste designated on a waste shipment record and the quantity actually received, the permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the State, local, district, or U.S. EPA regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the Northwest District Office. Describe the discrepancy and attempts to reconcile it and submit a copy of the waste shipment record along with the report.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(8) The permittee shall submit, upon closure of the facility, a copy of the records of the asbestos waste disposal locations and quantities.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(9) The permittee shall notify the Northwest District Office in writing at least 45 days prior to excavating or otherwise disturbing any asbestos-containing waste material that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided at least 10 working days before excavation begins and in no event shall the excavation begin earlier than the date specified in the original notification. The following information shall be included in the notice:

a. Scheduled starting and completion dates;

b. Reason for disturbing the waste;

c. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing waste material (if deemed necessary, the Northwest District Office may require changes in the proposed emission control procedures); and

d. Location of any temporary storage site and the final disposal site.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(10) The permittee shall notify the Northwest District Office of any load of asbestos-containing material which is rejected, or any non-conforming load disposed of in accordance with the "Asbestos Spill Contingency Plan." Notification shall be provided as soon as possible by a phone contact, followed in writing by the next working day. The written notification shall provide a copy of the waste shipment record (WSR), if available, or when waste is not shipped with a WSR, provide available information concerning vehicle identification, source of the load, a description of the load, nature of discrepancy, and the location of disposal. If possible, non-conforming loads of suspect friable material shall be detained, or the location of disposal protected from damage, until the Ohio EPA is informed and proved the opportunity to inspect.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(11) The permittee shall submit semiannual deviation reports that identify any of the following occurrences:

a. Each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and

b. Each instance when a control measure that was to be implemented as a result of an inspection was not implemented.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(12) Unless other arrangements have been approved by the Director, all notifications and reports shall be submitted through the Ohio EPA's eBusiness Center: Air Services online web portal.

[OAC rule 3745-15-03(A)]

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:

91.36 tons fugitive NMOC/yr (emissions not captured by the collection and control system)

14,290.10 tons fugitive methane/yr (emissions not captured by the collection and control system)

Applicable Compliance Method:

The annual emission limitations represent the maximum potential to emit determined by Landfill Gas Emission Model (LandGEM). Maximum potential emissions will occur in the year 2021 and are based on the following:

i. 4.420 x 106 Mg refuse in place (2002)
ii. annual waste acceptance rate of 544,314 Mg per year
iii. maximum landfill capacity of 1.463 x 107
iv. an assumed landfill gas collection system efficiency of 45% based on engineering design

The annual limitations represent the maximum potential to emit, therefore no recordkeeping, deviation reporting, or compliance method calculations are required to demonstrate compliance with the above limitations.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

b. Emission Limitation:

19.99 tons fugitive PE/yr

Applicable Compliance Method:

The emission limitation was established by applying the following emission factors/equations and control efficiencies to the associated process weight rates:

Fugitive Dust Operation	Maximum Process Weight Rates	Control Efficiency	Emission Factor	Emission Factor Citation
Landfill Surface Removal	319,000 tons/yr	90%	0.058 lb/ton	AP-42 Table 11.9-4, 10/98
Soil Loading	957,000 tons/yr	90%	0.037 lb/ton	AP-42 Table 11.9-4, 10/98
Soil Unloading	869,500 tons/yr	90%	0.00044 lb/ton	AP-42, Section 13.2.4.3, 1/95

Cover/Construction Soil Placement	290,400 tons/yr	90%	0.012 lb/ton	AP-42 Table 11.9-4, 10/98
Wind Erosion from Unvegetated Surfaces	40 acres	None	0.38 ton/acre/yr	AP-42 Table 11.9-4, 10/98
Clay/Soil Storage Piles	14,867.6 m^3	None	1,043.4 g/m^3	AP-42 Section 13.2.5, 1/95

Therefore, provided compliance is shown with the requirement to apply best available control measures, compliance with the annual limitation shall also be demonstrated.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

c. Emission Limitation:

48.05 lbs CO/hr (flare); 210.46 tons CO/yr (flare)

Applicable Compliance Method:

Compliance with the above emission limitation may be determined by multiplying the maximum landfill gas generation rate of 4,758 cfm, 0.50 cubic ft methane/cubic ft of landfill gas, 909.8 BTU/cubic ft of methane, 0.37 lbs of CO/1,000,000 BTU*, and 60 minutes/hour.

* Manufacturer's guaranteed maximum CO emission rate

The annual allowable emission limitation was developed by multiplying the hourly allowable emission rate by a maximum operating schedule of 8,760 hours per year, and dividing by 2000 lbs per ton. Therefore, provided compliance is shown with the hourly limitation, compliance with the annual limitation shall also be demonstrated.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

d. Emission Limitation:

5.71 lbsNOx/hr (flare); 25.01 tons NOx/yr (flare)

Applicable Compliance Method:

Compliance with the above emission limitation may be determined by multiplying the maximum landfill gas generation rate of 4,758 cfm, 0.50 cubic ft methane/cubic ft of landfill gas, 40 lbs of NOx/1,000,000 dscf methane*, and 60 minutes/hour.

* AP-42, Section 2.4, Municipal Solid Waste Landfills [11/98]

The annual allowable emission limitation was developed by multiplying the hourly allowable emission rate by a maximum operating schedule of 8,760 hours per year, and dividing by 2000 lbs per ton. Therefore, provided compliance is shown with the hourly limitation, compliance with the annual limitation shall also be demonstrated.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

e. Emission Limitation:

1.99 lbs SO2/hr (flare); 8.73 tons SO2/yr (flare)

Applicable Compliance Method:

Compliance with the above emission limitation may be determined by using AP-42, Section 2.4 equations 3, 4, and 7 Municipal Solid Waste Landfills [11/98] and the following:

i. CH4 gas generation of 4042 m^3/hr
ii. Sulfur concentration in the landfill gas= 46.9 ppmv
iii. 100% landfill gas collection efficiency (represents worst-case emissions for SO2)

The annual allowable emission limitation was developed by multiplying the hourly allowable emission rate by a maximum operating schedule of 8,760 hours per year, and dividing by 2000 lbs per ton. Therefore, provided compliance is shown with the hourly limitation, compliance with the annual limitation shall also be demonstrated.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

f. Emission Limitation:

0.76 lbs NMOC/hr (flare); 3.32 tons NMOC/yr (flare)

Applicable Compliance Method:

Compliance with the above emission limitation may be determined by applying the 98% control efficiency for the flare to the maximum hourly NMOC rate to the flare (38 lbs NMOC/hr)*.

*The maximum NMOC rate to the flare was determined by Landfill Gas Emission Model (LandGEM). The maximum NMOC rate will occur in the year 2021 and are based areon the following:

i. 4.420 x 106 Mg refuse in place (2002)
ii. annual waste acceptance rate of 544,314 Mg per year
iii. maximum landfill capacity of 1.463 x 107

The annual allowable emission limitation was developed by multiplying the hourly allowable emission rate by a maximum operating schedule of 8,760 hours per year, and dividing by 2000 lbs per ton. Therefore, provided compliance is shown with the hourly limitation, compliance with the annual limitation shall also be demonstrated.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

g. Emission Limitation:

1.00 lbHCl/hr (flare); 4.38 tons HCl/yr (flare)

Applicable Compliance Method:

Compliance with the above emission limitation may be determined by using AP-42, Section 2.4 equations 3, 4, and 7 Municipal Solid Waste Landfills [11/98] and the following:

i. CH4 gas generation of 4042 m^3/hr
ii. Chloride ion concentration in the landfill gas= 41.99 ppmv
iii. 100% landfill gas collection efficiency (represents worst-case emissions for HCl)

The annual allowable emission limitation was developed by multiplying the hourly allowable emission rate by a maximum operating schedule of 8,760 hours per year, and dividing by 2000 lbs per ton. Therefore, provided compliance is shown with the hourly limitation, compliance with the annual limitation shall also be demonstrated.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

h. Emission Limitation:

2.43 lbs PM10/yr (flare); 10.64 tons PM10/yr (flare)

Applicable Compliance Method:

Compliance with the above emission limitation may be determined by multiplying the maximum landfill gas generation rate of 4,758 cfm, 0.50 cubic ft methane/cubic ft of landfill gas, 17 lbs of PM/1,000,000 dscf methane*, and 60 minutes/hour.

* AP-42, Section 2.4, Municipal Solid Waste Landfills [11/98] (all PM is assumed to be PM10)

The annual allowable emission limitation was developed by multiplying the hourly allowable emission rate by a maximum operating schedule of 8,760 hours per year, and dividing by 2000 lbs per ton. Therefore, provided compliance is shown with the hourly limitation, compliance with the annual limitation shall also be demonstrated.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

i. Emission Limitation:

Visible fugitive PE shall not exceed 20% opacity, as a three-minute average, from operations not associated with asbestos-containing material (ACM)

Applicable Compliance Method:

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

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

j. Emission Limitation:

There shall be no visible emissions from asbestos-containing materials (ACM) during on-site transportation, transfer, deposition, or compacting operations.

Applicable Compliance Method:

If required, compliance shall be determined in accordance with Method 22 of 40 CFR, Part 60, Appendix A.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

g) Miscellaneous Requirements

(1) Upon closure of the facility, the permittee shall comply with the following provisions of OAC rule 3745-20-07 and shall submit a copy of the records of the asbestos waste disposal locations and quantities to the Director (Northwest District Office).

a. Each owner or operator of an inactive asbestos waste disposal site shall either:

i. Discharge no visible emissions to the outside air from an inactive waste disposal site; or

ii. Cover the asbestos- containing waste material, with at least six inches of non-asbestos containing material, and grow and maintain a cover of vegetation on the area adequate to prevent exposure of the asbestos-containing waste material; or

iii. Cover the asbestos-containing material with at least two feet of compacted nonasbestos-containing material and maintain the cover to prevent exposure of the asbestos-containing waste material.

b. Unless a natural barrier adequately deters access by the general public, each owner or operator of an inactive asbestos waste disposal site shall install and maintain warning signs and fencing as follows, or comply with section g)(1)a.ii. or g)(1)a.iii. above:

i. Display warning signs at all entrances and at intervals of three hundred feet or less along the property line of the site or along the perimeter of the sections of the site where asbestos-containing waste material was deposited. The warning signs must:

(a) Be posted in such a manner and location that a person can easily read the legend; and

(b) Conform to the requirements for a twenty inch by fourteen inch upright format warning sign and display the following legend in the lower panel with letter sizes of at least one inch sans serif, gothic, or block. Spacing between any two lines must be at least equal to the height of the upper of the two lines:

"ASBESTOS WASTE DISPOSAL SITE
DO NOT CREATE DUST
BREATHING ASBESTOS IS HAZARDOUS TO YOUR HEALTH"

ii. Fence the perimeter of the site in a manner adequate to deter access by the general public.

iii. Upon request and submission of appropriate information, the Director will determine whether a fence or a natural barrier adequately deters access by the public.

iv. When requesting a determination on whether a natural barrier adequately deters public access, supply information enabling the Director to determine whether a fence or a natural barrier adequately deters access by the general public.

c. The owner or operator may use an alternative control method that has received prior approval of the Director rather than comply with the requirements of Sections g)(1)a. or g)(1)b. of these terms and conditions.

d. Each owner or operator of an inactive waste disposal site shall notify the Director in writing at least forty-five days prior to excavating or otherwise disturbing or removing any asbestos-containing waste material. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided to the Director at least ten working days before excavation begins. In no event shall excavation begin earlier than the date specified in the

original notification. Each owner or operator shall include the following information in the notice:

i. Scheduled starting and completion dates.

ii. Reason for disturbing the waste.

iii. Procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated asbestos-containing material. If deemed necessary, the director may require changes in the emission control procedures to be used

iv. Location of any temporary storage site and the final disposal site.

e. Within sixty days of a site becoming inactive, record a notation of the presence of asbestos-containing material on the deed to the facility property and on any other instrument that would normally be examined during the title search; this notation will, in perpetuity, notify any potential purchaser of the property that:

i. The land has been used for the disposal of asbestos-containing waste material; and

ii. The survey plot and record of the location and quantity of asbestos-containing waste disposed of within the disposal site required in paragraph (C)(2) of rule 3745-20-06 of the Ohio Administrative Code has been filed with the Director; and

iii. The site is subject to Chapter 3745-20 of the Ohio Administrative Code and 40 CFR Part 61, Subpart M.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(2) There shall be no open burning in violation of Ohio Administrative Code rule 3745-19 at this facility.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(3) <u>Authority to Enter</u>

Pursuant to the authority of OAC rule 3745-77-07(C)(2) or ORC section 3704.03(L), any representative of the Director may, upon presentation of proper identification, enter at any reasonable time upon any portion of the property where this landfill is located, including any improvements thereon, to make inspections, take samples, conduct tests, and examine records or reports pertaining to any emissions of air contaminants and any monitoring equipment, emissions control equipment, or methods. No operator or agent of this landfill shall act in any manner to refuse, hinder, or thwart this legal right of entry.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(4) 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.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(5) Compliance with 40 CFR Part 63, Subpart AAAA is determined in the same way it is determined for 40 CFR Part 60, Subpart WWW, including performance testing, monitoring of the collection system, continuous parameter monitoring, and other credible evidence. In addition, continuous parameter monitoring data [see d)(3)] are used to demonstrate compliance with the operating conditions for control systems.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]

(6) In accordance with 40 CFR 63.1960, the permittee shall develop and implement a written startup, shutdown, and malfunction (SSM) plan according to the provisions in 40 CFR 63.6(e)(3). A copy of the SSM plan must be maintained on site.

[PTI 03-14036 and OAC rule 3745-77-07(C)(1)]