



Environmental Protection Agency

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

9/24/2012

Certified Mail

Sarah Kreitzer
OhioAmerican Energy, Inc. Star Ridge
Township Road 163
Brilliant, OH 43938

RE: FINAL AIR POLLUTION PERMIT-TO-INSTALL AND OPERATE

Facility ID: 0641055001
Permit Number: P0089093
Permit Type: Renewal
County: Jefferson

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

Dear Permit Holder:

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

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

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

If you have any questions, please contact Ohio EPA DAPC, Southeast District Office at (740)385-8501 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469. This permit can be accessed electronically on the DAPCWeb page, www.epa.ohio.gov/dapc, by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

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

Cc: Ohio EPA-SEDO



FINAL

**Division of Air Pollution Control
Permit-to-Install and Operate
for
OhioAmerican Energy, Inc. Star Ridge**

Facility ID:	0641055001
Permit Number:	P0089093
Permit Type:	Renewal
Issued:	9/24/2012
Effective:	9/24/2012
Expiration:	9/24/2022



Division of Air Pollution Control
Permit-to-Install and Operate
for
OhioAmerican Energy, Inc. Star Ridge

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Authorization

Facility ID: 0641055001
Application Number(s): A0020330, A0020331, A0020332, A0020333, M0001840
Permit Number: P0089093
Permit Description: First operating PTIO for a portable coal processing plant, unpaved roadways and parking areas, and storage poles. Supersedes PTI 06-08297, issued 10/16/2007.
Permit Type: Renewal
Permit Fee: \$0.00
Issue Date: 9/24/2012
Effective Date: 9/24/2012
Expiration Date: 9/24/2022
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

OhioAmerican Energy, Inc. Star Ridge
Township Road 163
Brilliant, OH 43938

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

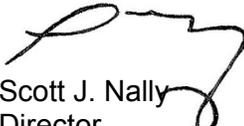
Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Southeast District Office
2195 Front Street
Logan, OH 43138
(740)385-8501

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency


Scott J. Nally
Director



Authorization (continued)

Permit Number: P0089093
Permit Description: First operating PTIO for a portable coal processing plant, unpaved roadways and parking areas, and storage poles. Supersedes PTI 06-08297, issued 10/16/2007.

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

Emissions Unit ID:	F001
Company Equipment ID:	Roadways
Superseded Permit Number:	06-08297
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F002
Company Equipment ID:	Storage Piles
Superseded Permit Number:	06-08297
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	P901
Company Equipment ID:	Coal Processing
Superseded Permit Number:	06-08297
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

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

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

2. Who is responsible for complying with this permit?

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

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

3. What records must I keep under this permit?

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

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

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

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

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

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

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

This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a

renewal notice to you approximately six months prior to the expiration date of this permit. However, it is very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

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

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

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

7. What reports must I submit under this permit?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

B. Facility-Wide Terms and Conditions

1. This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).
 - a) For the purpose of a permit-to-install document, the facility-wide terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.
 - (1) None.
 - b) For the purpose of a permit-to-operate document, the facility-wide terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.
 - (1) None.
2. The following emissions units contained in this permit are subject to 40 CFR Part 60, Subpart Y: P901. The complete NSPS requirements may be accessed via the internet from the Electronic Code of Federal Regulations (e-CFR) website <http://ecfr.gpoaccess.gov> or by contacting the appropriate Ohio EPA District Office or local air agency.

C. Emissions Unit Terms and Conditions



1. F001, Roadways

Operations, Property and/or Equipment Description:

Portable Unpaved Roadways and Parking Areas with Maximum Vehicle Miles Traveled of 57,189 miles/year (Supersedes PTI 06-08297, issued 10/16/2007)

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

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

a. None.

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

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

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

Table with 3 columns: ID, Applicable Rules/Requirements, and Applicable Emissions Limitations/Control Measures. It lists three rows of requirements and measures for emissions units.

(2) Additional Terms and Conditions

- a. The unpaved roadways and parking areas that are covered by this permit and subject to the requirements of 3745-17-07(B) and 3745-17-08(B) when located in an area listed in Appendix A of OAC Rule 3745-17-08 are listed below:

ALL

- b. The permittee shall employ reasonably available control measures on all unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. The permittee shall treat the unpaved roadways and parking areas by application of chemical stabilization/dust suppressant and/or watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- c. The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for unpaved roadways and parking areas that are covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- d. Any unpaved roadway or parking area that takes on the characteristics of a paved surface due to the application of dust suppressant shall remain subject to the visible emission limitation for unpaved roadways. Any unpaved area that is paved shall be subject to the visible emission limitation of one minute during any 60-minute period.
- e. The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- f. 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.
- g. 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 Rules 3745-17-07(B) and 3745-17-08(B).

c) Operational Restrictions

- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall perform inspections of each of the roadway segments and parking areas in accordance with the following frequencies:

Unpaved Roadways and Parking Area

Minimum Inspection Frequency

All roads and parking areas

Daily

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

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

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

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

- i. the paved roadways and parking areas; and
- ii. the unpaved roadways and parking areas.

e) Reporting Requirements

(1) The permittee shall submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit. It is recommended that the PER is submitted electronically through the Ohio EPA's "e-Business Center: Air Services" although PERs can be submitted via U.S. postal service or can be hand delivered.

f) Testing Requirements

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

a. Emissions Limitation:

No visible PE except for three minutes during any 60-minute period.

Applicable Control Methods:

If required, visible emissions of fugitive dust shall be determined according to USEPA Method 22, with the modifications found in OAC rule 3745-17-03(B)(4).

g) Miscellaneous Requirements

- (1) At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install (PTI) or permit to install and operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a "Notice of Site Approval" for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).
- (2) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:
 - a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and,
 - b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).
- (3) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:
 - a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;
 - b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site; and
 - c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval".

- (4) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:
- a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;
 - b. the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s);
 - c. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);
 - d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located;
 - e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31-05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

- (5) Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.
- (6) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01 (LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745- 77-01, must also meet all applicable requirements under the Title V program contained in OAC Chapter 3745-77, which may include the requirement to apply for a Title V permit.



2. F002, Storage Piles

Operations, Property and/or Equipment Description:

Portable Storage Piles Including 0.9 Acre Raw Coal Pile, 0.8 Acre Clean Coal Pile, 0.7 Acre Direct Ship Coal Pile, and 16 Acre Refuse Pile (Supersedes PTI 06-08297, issued 10/16/2007)

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

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

a. None.

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

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

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

Table with 2 columns: Applicable Rules/Requirements and Applicable Emissions Limitations/Control Measures. Rows include OAC Rule 3745-31-05(A)(3), OAC Rule 3745-31-05(A)(3)(b), OAC Rule 3745-17-07(B), and OAC Rule 3745-17-08(B).



Table with 2 columns: Applicable Rules/Requirements, Applicable Emissions Limitations/Control Measures. Row 1: (Applicable only if this emissions unit is located in an area identified in Appendix A of OAC Rule 3745-17-08) that are sufficient to minimize or eliminate visible emissions of fugitive dust (see b)(2)c. through b)(2)h.)

(2) Additional Terms and Conditions

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

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

Permit to Install and Operate P0089093 for this air contaminant source takes into account the following voluntary restrictions (including the use of any applicable air pollution control equipment) as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements under OAC Rule 3745-31-05(A)(3):

- i. Total fugitive PE shall not exceed 0.57 tons per year;
ii. Sufficient moisture content present in material; and
iii. No visible PE except for one minute during any 60-minute period.

c. The storage piles that are covered by this permit and subject to the requirements of OAC Rules 3745-31-05(A)(3), 3745-17-07(B) and 3745-17-08(B) are listed below:

- Clean coal storage pile
Direct ship coal storage pile
Raw coal storage pile
Refuse pile

- d. The permittee shall employ best/reasonableavailable control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee’s application, the permittee shall maintain reduced drop height, low pile height, and inherent moisture content to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
 - e. The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
 - f. The permittee shall employ best/reasonableavailable control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the application, the permittee shall maintain reduced drop height to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
 - g. The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above mentioned applicable requirements.
 - h. 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 Rules 3745-31-05(A)(3), 3745-17-07(B) and 3745-17-08(B).
- c) Operational Restrictions
- (1) None.
- d) Monitoring and/or Recordkeeping Requirements
- (1) The permittee shall perform inspections of each load-in operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-in inspection frequency</u>
ALL	DAILY

- (2) The permittee shall perform inspections of each load-out operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-out inspection frequency</u>
ALL	DAILY

- (3) The permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum wind erosion inspection frequency</u>
ALL	DAILY

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

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

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

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

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

e) Reporting Requirements

- (1) The permittee shall submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit. It is

recommended that the PER is submitted electronically through the Ohio EPA's "e-Business Center: Air Services" although PERs can be submitted via U.S. postal service or can be hand delivered.

f) Testing Requirements

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

a. Emissions Limitation:

Total fugitive PE shall not exceed 0.57 tons per year.

Applicable Compliance Method:

Compliance shall be determined based on the emission factor calculation for drop operations associated with storage piles in AP-42 section 13.2.4 (11/06).

Initial compliance has been determined using inputs representing current conditions as follows:

RAW COAL

$$EF = k (0.0032) [(U/5)^{1.3} / (M/2)^{1.4}]$$

Where:

EF = emission factor expressed in pounds per ton (lbs/ton)

k = particle size multiplier for TSP (dimensionless) = 0.74

U = mean wind speed expressed in miles per hour (MPH) = 8.7

M = material moisture content (%) = 4.8%

Therefore, EF = 0.0014282 lbs/ton

maximum annual load-in throughput = 1,980,000 tons/year

maximum annual load-out throughput = 1,980,000 tons/year

$$[(1)(1,980,000 \text{ tons/year})(0.0014282 \text{ lbPE/ton})] / 2,000 \text{ lb/ton}$$

$$= 1.413954 \text{ TYP of uncontrolled PE}$$

Assume 95% control for reduced drop height, based on Engineering Guide #46

$$(1.413954 \text{ TPY})(0.05) = 0.0707 \text{ TPY of controlled PE and;}$$

The emission factor calculation for wind erosion from storage piles found in USEPA's Control of Open Fugitive Dust Source (9/88). Initial compliance has been determined using inputs representing current conditions as follows:

$$EF = (1.7) (s/1.5) [(365-p)/235] (f/15)$$

Where:

E= emission factor in pounds (lbs)/day/acre

s= silt content of material (%) = 4.6%

p= number of rain days per year >0.01 in.= 145

f= percentage of time that wind speed exceeds 12 mph (%)= 30%

A= total surface area of storage piles (acres)=0.9

Therefore, EF= 2.17021lbs/day/acre

$$[(2.17021 \text{ lbs/day/acre})(365 \text{ days/yr})(0.9 \text{ acres})] / 2,000 \text{ lbs/ton} = 0.3564569925 \text{ TPY uncontrolled PE}$$

Assume 95% control for inherent moisture content, based on Engineering Guide #46

$$(0.3564569925 \text{ TPY}) (0.05) = 0.017822872 \text{ TPY controlled PE}$$

CLEAN COAL

$$EF = k (0.0032) [(U/5)^{1.3} / (M/2)^{1.4}]$$

Where:

EF = emission factor expressed in pounds per ton (lbs/ton)

k = particle size multiplier for TSP (dimensionless) = 0.74

U = mean wind speed expressed in miles per hour (MPH) = 8.7

M = material moisture content (%) = 4.8%

Therefore, EF = 0.0014282 lbs/ton

maximum annual load-in throughput = 1,712,700 tons/year

maximum annual load-out throughput = 1,712,700 tons/year

$$[(1)(1,712,700 \text{ tons/year})(0.0014282 \text{ lb PE/ton})] / 2,000 \text{ lb/ton}$$

$$= 1.22307 \text{ TYP of uncontrolled PE}$$

Assume 95% control for reduced drop height, based on Engineering Guide #46

$$(1.22307 \text{ TPY})(0.05) = 0.061153 \text{ TPY of controlled PE and;}$$

The emission factor calculation for wind erosion from storage piles found in USEPA's Control of Open Fugitive Dust Source (9/88). Initial compliance has been determined using inputs representing current conditions as follows:

$$EF = (1.7) (s/1.5) [(365-p)/235] (f/15)$$

Where:

E= emission factor in pounds (lbs)/day/acre

s= silt content of material (%) = 4.6%

p= number of rain days per year >0.01 in.= 145

f= percentage of time that wind speed exceeds 12 mph (%)= 30%

A= total surface area of storage piles (acres)=0.8

Therefore, EF= 2.17021 lbs/day/acre

$$[(2.17021 \text{ lbs/day/acre})(365 \text{ days/yr})(0.8 \text{ acres})] / 2,000 \text{ lbs/ton} = 0.316851064 \text{ TPY uncontrolled PE}$$

Assume 95% control for inherent moisture content, based on Engineering Guide #46

$$(0.316851064 \text{ TPY}) (0.05) = 0.015842553 \text{ TPY controlled PE}$$

DIRECT SHIP COAL

$$EF = k (0.0032) [(U/5)^{1.3} / (M/2)^{1.4}]$$

Where:

EF = emission factor expressed in pounds per ton (lbs/ton)

k = particle size multiplier for TSP (dimensionless) = 0.74

U = mean wind speed expressed in miles per hour (MPH) = 8.7

M = material moisture content (%) = 4.8%

Therefore, EF = 0.0014282 lbs/ton

maximum annual load-in throughput = 1,980,000 tons/year

maximum annual load-out throughput = 1,980,000 tons/year

$$[(1)(1,980,000 \text{ tons/year})(0.0014282 \text{ lb PE/ton})] / 2,000 \text{ lb/ton}$$

$$= 1.413954 \text{ TYP of uncontrolled PE}$$

Assume 95% control for reduced drop height, based on Engineering Guide #46

$(1.413954 \text{ TPY})(0.05) = 0.0707 \text{ TPY}$ of controlled PE and;

The emission factor calculation for wind erosion from storage piles found in USEPA's Control of Open Fugitive Dust Source (9/88). Initial compliance has been determined using inputs representing current conditions as follows:

$$EF = (1.7) (s/1.5) [(365-p)/235] (f/15)$$

Where:

E= emission factor in pounds (lbs)/day/acre

s= silt content of material (%) = 4.6%

p= number of rain days per year >0.01 in.= 145

f= percentage of time that wind speed exceeds 12 mph (%)= 30%

A= total surface area of storage piles (acres)= 0.7

Therefore, $EF = 2.170213 \text{ lbs/day/acre}$

$$[(2.170231 \text{ lbs/day/acre})(365 \text{ days/yr})(0.7 \text{ acres})] / 2,000 \text{ lbs/ton} = 0.277244681 \text{ TPY uncontrolled PE}$$

Assume 95% control for inherent moisture content, based on Engineering Guide #46

$$(0.277244681 \text{ TPY}) (0.05) = 0.013862234 \text{ TPY controlled PE}$$

REFUSE PILE

$$EF = k (0.0032) [(U/5)^{1.3} / (M/2)^{1.4}]$$

Where:

EF = emission factor expressed in pounds per ton (lbs/ton)

k = particle size multiplier for TSP (dimensionless) = 0.74

U = mean wind speed expressed in miles per hour (MPH) = 8.7

M = material moisture content (%) = 7%

Therefore, $EF = 0.0008422 \text{ lbs/ton}$

maximum annual load-in throughput = 231,215 tons/year

maximum annual load-out throughput = 231,215 tons/year

$$[(1)(231,215 \text{ tons/year})(0.0008422 \text{ lb PE/ton})] / 2,000 \text{ lb/ton} \\ = 0.097361 \text{ TYP of uncontrolled PE}$$

Assume 95% control for reduced drop height, based on Engineering Guide #46

$(0.097361 \text{ TPY})(0.05) = 0.004868 \text{ TPY}$ of controlled PE and;

The emission factor calculation for wind erosion from storage piles found in USEPA's Control of Open Fugitive Dust Source (9/88). Initial compliance has been determined using inputs representing current conditions as follows:

$$EF = (1.7) (s/1.5) [(365-p)/235] (f/15)$$

Where:

E= emission factor in pounds (lbs)/day/acre

s= silt content of material (%) = 8%

p= number of rain days per year >0.01 in.= 145

f= percentage of time that wind speed exceeds 12 mph (%)= 30%

A= total surface area of storage piles (acres)=16

Therefore, $EF = 2.170213 \text{ lbs/day/acre}$

$$[(2.170231 \text{ lbs/day/acre})(365 \text{ days/yr})(16 \text{ acres})] / 2,000 \text{ lbs/ton} = 6.337021277 \text{ TPY uncontrolled PE}$$

Assume 95% control for inherent moisture content, based on Engineering Guide #46

$$(6.337021277 \text{ TPY}) (0.05) = 0.316851064 \text{ TPY controlled PE}$$

TOTAL EMISSION SUMMARY

Load-in and load-out operations= 0.20742 TPY

Wind erosion= 0.36438 TPY

Total= 0.57 TPY

b. Emissions Limitation:

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

Applicable Compliance Method:

If required, compliance shall be determined through visible emission observations performed in accordance with 40 CFR Part 60, Appendix A, Method 22 and the procedures specified in OAC Rule 3745-17-03(B)(4).

g) Miscellaneous Requirements

- (1) At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install (PTI) or permit to install and operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a "Notice of Site Approval" for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).
- (2) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:
 - a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any applicable best available technology determination and state and/or federal air pollution rule or law; and,
 - b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).
- (3) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:
 - a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;
 - b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site; and
 - c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval".
- (4) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:
 - a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;

- b. the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s);
- c. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);
- d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located;
- e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31-05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

- (5) Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.
- (6) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01 (LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745- 77-01, must also meet all applicable requirements under the Title V program contained in OAC Chapter 3745-77, which may include the requirement to apply for a Title V permit.



3. P901, Coal Processing

Operations, Property and/or Equipment Description:

Portable Coal Processing Plant with a Maximum Operating Rate of 350 tons/hour Including (2) 60" quad-roll McLanahan crusher, (2) 48" x 190' hopper to crusher, (2) 36" x 142' crusher to transfer structure, (1) 36" x 175' direct ship coal to stacker, (1) 36" x 430' raw coal to prep plant, (1) 36" x 190' clean coal stacker, (1) 36" x 140' refuse, and (3) 36" x 125' radial stackers(Supersedes PTI 06-08297, issued 10/16/2007)

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

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

a. None.

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

a. None.

b) Applicable Emissions Limitations and/or Control Requirements

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

Table with 2 columns: Applicable Rules/Requirements, Applicable Emissions Limitations/Control Measures. Rows include ORC 3704.03(T), OAC Rule 3745-17-07(B), OAC Rule 3745-17-08(B), and 40 CFR Part 60, Subpart Y.



Table with 2 columns: Applicable Rules/Requirements and Applicable Emissions Limitations/Control Measures. Row 1: 60.250(d), this emissions unit includes coal processing and conveying equipment and commenced construction, reconstruction or modification after October 27, 1974 and on or before April 28, 2008, processing more than 200 tons of coal per day, subject to the emissions limitation specified in this section. (40 CFR Part 60.254(a))

(2) Additional Terms and Conditions

- a. The coal processing plant operation that are covered by this permit and subject to the requirements of ORC 3704.03(T)and OAC rule 3745-17-08 are listed below:

Material Handling/Transfer Points

- load-in hoppers (2)
hoppers to conveyors (2)
conveyors to crushers (2)
screens to conveyors (2)
conveyor to conveyor (4)
prep plant to conveyor (2)

Equipment

- Crushers- (2) 60" quad-roll McLanahan crusher
Screens- (2) 48" x 190' hopper to crusher, (2) 36" x 142' crusher to transfer structure, (1) 36" x 175' direct ship coal to stacker, (1) 36" x 430' raw coal to prep plant, (1) 36" x 190' clean coal stacker, (1) 36" x 140' refuse, (3) 36" x 125' radial stackers

- b. The permittee shall employ reasonably available control measures for the coal processing plant operations listed above, for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee shall perform the following control measure to ensure compliance: maintain sufficient moisture to prevent fugitive dust, treat the coal with chemical stabilization/dust suppressants at sufficient frequencies, and maintain enclosures. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- c. For each coal processing plant operation that is not adequately enclosed, the above-identified control measures shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during the operation of the coal processing plant operations until further observation confirms that use of the control measures is unnecessary.
- d. Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC Rule 3745-17-08(B).

c) Operational Restrictions

- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall perform inspections for coal processing plant operations that are not adequately enclosed in accordance with the following minimum frequencies:

<u>coal processing plant operations</u>	<u>minimum inspection frequency</u>
All	Daily

- (2) 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 (2)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) The permittee shall submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit. It is recommended that the PER is submitted electronically through the Ohio EPA's "e-

Business Center: Air Services” although PERs can be submitted via U.S. postal service or can be hand delivered.

f) Testing Requirements

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

a. Emissions Limitation:

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

Applicable Compliance Method:

If required, visible emissions of fugitive dust shall be determined according to USEPA Method 22, with the modifications found in OAC rule 3745-17-03(B)(4)..

b. Emissions Limitation:

The owner or operator must not cause to be discharged into the atmosphere from the affected facility any gases which exhibit 20% opacity or greater.

Applicable Compliance Method:

If required, compliance with the visible PE limitation specified in 40 CFR Part 60.254(a) shall be determined in accordance with Test Method 9 as set forth in the “Appendix on Test Methods” in 40 CFR, Part 60 “Standard of Performance for New Stationary Sources”.

(2) The permittee conducted the performance testing required by ORC 3704.03(T) and 40 CFR Parts 60.8 and 60.11 on this unit on April 29, 2008, and demonstrated compliance with the visible PE limitations specified in ORC 3704.03(T) and 40 CFR Part 60.254(a) when the unit was operating at or near its maximum capacity.

g) Miscellaneous Requirements

(1) At the discretion and following the approval of the director, the permittee may relocate the portable source within the State of Ohio without first obtaining a permit to install (PTI) or permit to install and operate (PTIO) providing the appropriate exemption requirements have been met. The director may issue a “Notice of Site Approval” for either of the following situations: the permittee notifies the director a minimum of 30 days prior to relocating pursuant to OAC rule 3745-31-03(A)(1)(p)(i); or the permittee identifies pre-disclosed location(s) that meet the criteria found in OAC rule 3745-31-05(H).

(2) Pursuant to OAC rules 3745-31-03(A)(1)(p)(i), 3745-31-03(A)(1)(p)(ii), and 3745-31-05(H), the following criteria must be met for all portable facilities seeking approval for relocation:

a. the portable source must possess an issued permit to install (PTI) or permit to install and operate (PTIO) and demonstrate continuing compliance with any

applicable best available technology determination and state and/or federal air pollution rule or law; and,

- b. the portable source is operating pursuant to a currently effective PTI, PTIO and/or any applicable permit to operate (PTO) and demonstrates continuing compliance with the requirements of the permit(s).
- (3) In order to relocate a portable source in accordance with OAC rule 3745-31-03(A)(1)(p)(i) (i.e. the 30-day option), the following additional criteria must be met:
- a. the permittee has provided proper notice of intent to relocate the portable source to the permitting District Office/Local air agency a minimum of thirty days prior to the scheduled relocation;
 - b. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the emissions would not cause a nuisance in violation of OAC rule 3745-15-07, and that the relocation of the portable source would not result in the installation of a major stationary source or a modification of an existing major stationary source at the new site; and
 - c. the director has issued a "Notice of Site Approval", stating that the proposed site is acceptable under OAC rule 3745-15-07, and that the relocation will not result in the installation or the modification of a major stationary source.

Using the 30-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval".

- (4) In order to relocate a portable source in accordance with OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(H) (i.e. the 15-day option), the following additional criteria must be met:
- a. the portable source owner has identified the proposed site(s) to the permitting District Office/Local air agency;
 - b. the owner of the proposed site(s) (if not the permittee) has provided the portable source owner with approval, or an equivalent declaration, that it is acceptable to move the portable source to the proposed site(s);
 - c. the permitting District Office/Local air agency and the District Office/Local air agency having jurisdiction over the new site have determined that the portable source will have an acceptable environmental impact at the proposed site(s);
 - d. a public notice, consistent with OAC Chapter 3745-47, has been published in the county where the proposed site(s) is/are located;
 - e. the permittee has provided the Ohio EPA with a minimum of a 15-day written notice of the relocation.

Using the 15-day option, the portable source may only be relocated upon receipt of the "Notice of Site Approval", and following submittal of the 15-day written notice of the relocation. Any site approvals issued pursuant to OAC rule 3745-31-

05(H) shall be valid for no longer than 3 years and are subject to renewal. Also, pursuant to OAC rule 3745-31-07(D)(2), the director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

- (5) Failure to submit said notification or failure to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.
- (6) When a portable source is co-located at a stationary source, or is co-located with multiple portable sources, potential emissions from the portable source may be required to be combined for facility potential to emit calculations for Title V and PSD applicability. If the relocation of the portable source would result in the installation of a major source or the modification of a major source, as defined in OAC rule 3745-31-01 (LLL) and (JJJ), the permittee shall submit an application and obtain a PTI for the new location prior to moving the portable source. Relocation of any portable source that results in the creation of a major source, as defined in OAC rule 3745- 77-01, must also meet all applicable requirements under the Title V program contained in OAC Chapter 3745-77, which may include the requirement to apply for a Title V permit.