



State of Ohio Environmental Protection Agency

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RECEIVED

SEP 30 2002

**RE: FINAL PERMIT TO INSTALL MODIFICATION  
STARK COUNTY  
Application No: 15-01459**

CANTON CITY HEALTH DEPT.  
AIR POLLUTION DIVISION

**CERTIFIED MAIL**

	TOXIC REVIEW
	PSD
	SYNTHETIC MINOR
	CEMS
	MACT
	NSPS
	NESHAPS
	NETTING
	MAJOR NON-ATTAINMENT
	MODELING SUBMITTED
	GASOLINE DISPENSING FACILITY

**DATE: 9/26/2002**

JMW Trucking Inc/Luntz Rail Site  
John Slutz  
512 - 45th Street SW  
Canton, OH 44706

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

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

Very truly yours,

*Michael W. Ahern*

Michael W. Ahern, Supervisor  
Field Operations and Permit Section  
Division of Air Pollution Control

cc: USEPA

Canton LAA



**FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 15-01459**

Application Number: 15-01459  
APS Premise Number: 1576051900  
Permit Fee: \$500  
Name of Facility: JMW Trucking Inc/Luntz Rail Site  
Person to Contact: John Slutz  
Address: 512 - 45th Street SW  
Canton, OH 44706

Location of proposed air contaminant source(s) [emissions unit(s)]:  
**1800 Allen Ave SE  
Canton, Ohio**

Description of proposed emissions unit(s):  
**Adding solid waste (auto fluff).**

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

## **Part I - GENERAL TERMS AND CONDITIONS**

### **A. Permit to Install General Terms and Conditions**

#### **1. Compliance Requirements**

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

#### **2. Reporting Requirements Related to Monitoring and Recordkeeping Requirements**

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

#### **3. Records Retention Requirements**

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

#### **4. Inspections and Information Requests**

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the

Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

**5. Scheduled Maintenance/Malfunction Reporting**

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

**6. Permit Transfers**

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

**7. Air Pollution Nuisance**

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

**8. Termination of Permit to Install**

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

**9. Construction of New Sources(s)**

The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional

facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

**10. Public Disclosure**

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

**11. Applicability**

This Permit to Install is applicable only to the emissions unit(s) identified in the Permit to Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

**12. Best Available Technology**

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

**13. Source Operation and Operating Permit Requirements After Completion of Construction**

- a. If the permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77, the permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

- b. If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this Permit To Install is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. Permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within thirty (30) days after commencing operation of the source(s) covered by this permit.

**14. Construction Compliance Certification**

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

**15. Fees**

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

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

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

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

<u>Pollutant</u>	<u>Tons Per Year</u>
PM	4.25

**PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)**

**A. Applicable Emissions Limitations and/or Control Requirements**

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
F001 - Paved roadways, yard area and parking lots.	OAC rule 3745-31-05(A)(3)	Annual particulate emissions shall not exceed 3 tons/yr.
Appendix A Area	OAC rule 3745-17-07(B)(7)(a)(ii)	There shall be no visible particulate emissions except for one minute during any 60-minute period.
	OAC rule 3745-17-08(B), (B)(2)	The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-08(B), (B)(2).  The emissions limitation specified by this rule is less stringent than the emissions limitation established pursuant to OAC rule 3745-31-05(A)(3).  Best available control measures shall be employed that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.a through A.2.g).

**2. Additional Terms and Conditions**

- 2.a The paved roadways, yard area and parking area that are covered by this permit and subject to the above-mentioned requirements are a 137,250 square foot asphalt roadways/yard area/parking lot area east of Allen Ave SE and south of 18th Street SE.
- 2.b Vehicles at this facility shall not travel on any unpaved roadways.

- 2.c The permittee shall employ best available control measures on all paved roadways, yard areas 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 sweeping/flushing at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance. Dry sweeping without a vacuum device shall not be done at this facility.
- 2.d 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.
- 2.e The permittee shall promptly remove within 24 hours, 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.
- 2.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.
- 2.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 best available technology requirements of OAC rule 3745-31-05.

**B. Operational Restrictions**

None

**C. 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:

<u>paved roadways and parking areas</u>	<u>minimum inspection frequency</u>
All	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) has (have) ended, except if the next required inspection is within one week.

3. The permittee may, upon receipt of written approval from the Canton local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
4. 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 4.d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

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

1. The permittee shall submit deviation (excursion) 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.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

**JMW Trucking Inc/Luntz Rail Site**

**PTI Application: 15-01459**

**Modification Issued: 9/26/2002**

**Facility ID: 1576051900**

**Emissions Unit ID: F001**

**E. Testing Requirements**

1. Compliance with the emission limitation for the paved roadways, yard areas and parking areas identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources," as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

**F. Miscellaneous Requirements**

None



**B. Operational Restrictions**

1. All vehicles hauling C&D materials and solid waste shall be closed, covered or tarped when coming to or leaving the facility in order to minimize visible particulate emissions of fugitive dust and to eliminate load loss.
2. When unloading C&D materials and solid waste, the permittee shall implement the following procedures:
  - a. any loads which appear to contain dusty C&D materials and solid waste shall be watered prior to unloading;
  - b. no dusty C&D materials and solid waste shall be unloaded during periods of high wind speed, unless they have been treated to prevent them from becoming airborne;
  - c. the permittee shall ensure that the loading of C&D materials and solid waste into trucks shall be done in a manner which will minimize the drop height of the C&D materials and solid waste;
  - d. during the unloading of any load of C&D materials and solid waste, in which dusty C&D materials and solid waste become airborne, the C&D materials and solid waste shall be watered as necessary to minimize visible particulate emissions of fugitive dust; and
  - e. all C&D material and solid waste shall be inspected prior to unloading to assure no undesirable materials are included in the shipment. No asbestos or hazardous materials shall be accepted, handled, or transferred.
3. When handling C&D materials and solid waste, the permittee shall implement the following procedures:
  - a. a record of water applications required by these terms and conditions shall be maintained at the facility site for a period of not less than three years and shall be made available to the Director, or any authorized representative of the Director, for review during normal business hours; and
  - b. the visible particulate emissions of fugitive dust from C&D material and solid waste handling described in these terms and conditions shall not exceed ten percent (10%) opacity, as a three-minute average, determined by using USEPA Method 9 as specified by OAC rule 3745-17-03(B).
4. This facility shall be limited to transferring no more than 100,000 tons per calendar year of any C&D materials and solid waste.

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

1. The permittee shall maintain daily records in a bound logbook of the following information, and these records shall be maintained at the facility site by the permittee for a period of not less than five years and shall be made available to the Director, or any authorized representative of the Director, for review during normal business hours:
  - a. the amount of C&D materials and solid waste in tons transferred; and
  - b. a record of water applications required by Term and Condition B.3.a.

**D. Reporting Requirements**

1. The permittee shall notify the Canton local air agency of any Method 9 evaluation that did not demonstrate compliance with the opacity limitation specified above. The notification shall be in writing and shall include a copy of such record and shall be sent to the Canton local air agency within 30 days after the exceedance occurs.
2. The permittee shall submit annual reports to the Canton local air agency identifying the amount of C&D material and solid waste in tons transferred at this facility. These reports shall be submitted by January 31 of each year and shall cover the previous calendar year.

**E. Testing Requirements**

1. Compliance with the emission limitations specified in section A.1. of these terms and conditions shall be determined in accordance with the following methods:
  - a. Emissions Limitation:  
Visible particulate emissions of fugitive dust shall not exceed 10% opacity, as a three-minute average.  
  
Applicable Compliance Method:  
Compliance with the above visible emission limitation shall be determined by USEPA's Reference Method 9 in 40 CFR, Part 60, Appendix A.
  - b. Emissions Limitation:  
Particulate emissions shall not exceed 1.25 tons/yr.  
  
Applicable Compliance Method:  
Compliance with the above annual particulate emission limitation shall be determined using the emission factors for truck dumping operations in AP-42, Chapter 13.2.4 (Aggregate Handling and Storage Piles), Fifth Edition, dated 1/1995.

**JMW Trucking Inc/Luntz Rail Site**

**PTI Application: 15-01459**

**Modification Issued: 9/26/2002**

**Facility ID: 1576051900**

**Emissions Unit ID: F002**

**F. Miscellaneous Requirements**

None