



State of Ohio Environmental Protection Agency

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Lazarus Gov.  
Center

RE: PERMIT TO INSTALL MODIFICATION  
PAULDING COUNTY  
Application No: 03-13271

CERTIFIED MAIL

DATE: 7/6/00

Latty Grain Ltd  
George Suvar  
PO Box 31  
Latty, OH 45855

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

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

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

Very truly yours,

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

CC: USEPA

NWDO



Permit To Install  
Terms and Conditions

Issue Date: 7/6/00  
Effective Date: 7/6/00

ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 03-13271

Application Number: 03-13271  
APS Premise Number: 0363000034  
Permit Fee: \$0  
Name of Facility: Latty Grain Ltd  
Person to Contact: George Suvar  
Address: PO Box 31  
Latty, OH 45855

Location of proposed air contaminant source(s) [emissions unit(s)]:  
14260 St Rte 613  
Latty, OHIO

Description of modification:

**Modification to PTI #03-03271 issued 12/01/1999 to resolve an appeal and correct throughput limit of 125,000 tons both unloading and loading.**

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

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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 are inadequate or cannot meet applicable standards.

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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 prove to be inadequate or cannot meet applicable standards.

**10. Public Disclosure**

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

**11. Applicability**

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

**12. Best Available Technology**

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

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

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

**14. Construction Compliance Certification**

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the

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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> |
|------------------|----------------------|
| Fugitive PE      | 12.5                 |

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## 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,<br/>and/or Equipment</u>  | <u>Applicable Rules/Requirements</u> | <u>Applicable Emissions<br/>Limitations/Control Measures</u>   |
|--|--------------------------------------|--|
| Fertilizer railcar unloading, transfer to storage & truck loading (Storage domes # 1,2, & 3) | OAC rule 3745-31-05                  | 12.5 tons fugitive particulate emissions (PE)/yr<br><br>control requirements (see A.2 a & b)<br><br>visible emission limitations (see A.2.c) |

### 2. Additional Special Terms and Conditions

- 2.a. The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:
  - i. unloading of railcar(s) into underground chain paddle conveyor;
  - ii. material conveying (loadout chain paddle conveyor);
  - iii. transfer point - chain paddle conveyor to single inclined belt conveyor;
  - iv. material conveying (inclined belt conveyor to domes 1,2, & 3);
  - v. transfer point - inclined belt conveyor to material storage;
  - vi. material handling by front-end loader(s);
  - vii. material conveying (2 chain paddle conveyors for truck loading); and,
  - viii. truck loading.
- 2.b. The permittee shall employ best available control measures for the above-identified material handling operation(s) for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to perform the following control measure(s) to ensure compliance:

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**PTI A**

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Emissions Unit ID: **F002**

Latty

PTI A

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| <u>Material handling operation(s)</u>  | <u>Control measure(s)</u>  |
|--|--|
| unloading of railcar(s) into<br>underground chain paddle conveyor<br>choke-feed conditions | use of total enclosure and appropriate<br>sized receiving system to facilitate |
| material conveying (loadout chain<br>paddle conveyor)                                      | use of total enclosure   |
| transfer point - chain paddle conveyor<br>to single inclined belt conveyor                 | minimize drop distance, use of discharge<br>chute and choke feed               |
| material conveying (inclined belt<br>conveyor to domes 1,2, & 3)                           | use of total enclosure   |
| transfer point - inclined belt<br>conveyor to material storage                             | use of telescoping chute   |
| material handling by front-end<br>loader(s)  | minimize drop distance   |
| material conveying (2 chain paddle<br>conveyors for truck loading)                         | use of total enclosure   |
| truck loading  | use of drive-through tunnel (building)   |

2.c. **Emissions Points**                      **Opacity Limitations (as 3-minute averages)**

|  |     |
|--|-----|
| unloading of railcar(s) into<br>underground chain paddle conveyor          | 20% |
| material conveying (loadout chain<br>paddle conveyor)                      | 0%  |
| transfer point - chain paddle conveyor to<br>single inclined belt conveyor | 20% |
| material conveying (inclined belt conveyor<br>to domes 1,2, & 3)           | 0%  |
| transfer point - inclined belt conveyor to                                 |     |

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material storage

20%

|   |     |
|---|-----|
| material handling by front-end loader(s)                        | 20% |
| material conveying (2 chain paddle conveyors for truck loading) | 0%  |
| truck loading   | 20% |

**B. Operational Restrictions**

1. The maximum annual material throughputs for this emissions unit shall not exceed the following:
  - a. 125,000 tons of material loaded from railcars; and
  - b. 125,000 tons of material loaded into trucks.

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

1. The permittee shall maintain monthly records of the following:
  - a. amount (tons per month and total tons, to date from January to December) of material unloaded from railcars; and,
  - b. amount (tons per month and total tons, to date from January to December) of material loaded into trucks.

**D. Reporting Requirements**

1. The permittee shall submit annual deviation (excursion) reports that identify all exceedances of the following:
  - a. annual material unloading limit from railcars; and,
  - b. annual material loading limit into trucks.

These reports shall be submitted by January 31 of each year.

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## **E. Testing Requirements**

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

- a. Emission Limitation: 12.5 tons fugitive PE/yr

Applicable Compliance Method: The PE tons/yr emission limitation was developed by multiplying the maximum annual throughput for loading and unloading 125,000 tpy by an emission factor of 0.2 lbs PE/ton product, OEPA RACM - 2.12.1.

Compliance shall be based on the recordkeeping in section C.1 of the terms and conditions of this permit.

- b. Emission Limitation: visible emission limitations

Applicable Compliance Method: Compliance with the visible emission limitation for the material handling operations identified above shall be determined in accordance with Test Method 9 as set for in "Appendix on Test Methods" in 40 CFR, Part 60.

## **F. Miscellaneous Requirements**

1. None.