



State of Ohio Environmental Protection Agency

Street /
122 S.

Address:
oy. Center
Box 1049

**RE: FINAL PERMIT TO INSTALL MODIFICATION
LOGAN COUNTY
Application No: 05-09967**

CERTIFIED MAIL

DATE: 9/18/2001

Bellefontaine C and D LLC
Joe Loewendick
1200 Dyer Road
Grove City, OH 43216

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,

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

cc: USEPA

SWDO



STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

**Permit To Install
Terms and Conditions**

**Issue Date: 9/18/2001
Effective Date: 9/18/2001**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 05-09967

Application Number: 05-09967
 APS Premise Number: 0546010146
 Permit Fee: **\$0**
 Name of Facility: Bellefontaine C and D LLC
 Person to Contact: Joe Loewendick
 Address: 1200 Dyer Road
 Grove City, OH 43216

Location of proposed air contaminant source(s) [emissions unit(s)]:

**221 West St
Bellefontaine, Ohio**

Description of proposed emissions unit(s):

Modification to incorporate changes to the terms and conditions as the result of discussions regarding the acceptance of asbestos-containing materials.

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

Bellefontaine C and D LLC
PTI Application: 05-09967
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Facility ID: 0546010146

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

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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

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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	0.2

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Emissions Unit ID: **F001**

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.

Operations, Property,
and/or Equipment

Applicable Rules/Requirements

Material handling operations for the landfill disposal of NESHAP Regulated Asbestos Containing Material (RACM) / Construction and Demolition (C&D) Materials (fugitive emissions)

OAC rule 3745-31-05

OAC rule 3745-17-03(B)

Terms in this permit supersede those of PTI 05-09967 issued on July 28, 1999.

40 CFR, Part 61, Subpart A, General Provisions, and 40 CFR, Subpart M, National Emission Standard for Asbestos

OAC rule 3745-20-06

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Applicable Emissions
Limitations/Control Measures

0.2 TPY

[0.1 TPY non-asbestos PM (no asbestos emissions allowed) associated with NESHAP RACM and 0.1 TPY PM associated with C&D materials]

Limit of 50,000 tons of NESHAP RACM and 50,000 tons of C&D materials per calendar year to be accepted for disposal.

There shall be no visible particulate emissions during transportation, transfer, unloading, deposition, or compacting operations of NESHAP RACM.

Meet the applicable requirements of this regulation including the use of handling procedures and control measures, as defined in Term B.4., to prevent the emissions of fugitive dust associated with NESHAP RACM.

Meet the applicable requirements of this regulation including the use of handling procedures and control measures, as defined in Term B.4., to prevent the emissions of fugitive dust associated with NESHAP RACM.

20% opacity, 3-minute average associated with C&D materials.

2. Additional Terms and Conditions

- 2.a Best Available Technology has been determined as compliance with applicable rules and specified allowable emission rates (refer to Term A.1.) achievable by meeting the requirements of Terms B-F.

B. Operational Restrictions

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

2. Authority to Enter

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

3. Types of Wastes that can be Accepted for Disposal

- a. This facility shall be permitted to accept for disposal under this permit NESHAP RACM as defined in the NESHAP Regulation for Asbestos, 40 CFR Part 61, Subpart M, section 141 amended November 20, 1990 or any subsequent revisions or as defined in any Environmental Protection Agency Interpretive Rules concerning the NESHAP Regulation for Asbestos. This regulation defines NESHAP RACM as "(a) Friable asbestos material, (b) Category I nonfriable asbestos containing material that has become friable, (c) Category I nonfriable asbestos containing material that will be or has been subjected to sanding, grinding, cutting, or abrading, or (d) Category II nonfriable asbestos containing material that has a high probability of becoming or has become crumbled, pulverized, or reduced to powder by the forces expected to act on the material in the course of demolition or renovation operations regulated by this Subpart."
- b. This facility is also permitted for disposal to accept C&D materials (including Category I non-friable asbestos containing material which has not or will not be subjected to any sanding, grinding, cutting, or abrading).

4. Disposal Requirements for NESHAP RACM

- a. There shall be no visible emissions from NESHAP RACM during on-site transportation, transfer, unloading, deposition or compacting operations.
- b. The permittee shall inspect each load of NESHAP RACM delivered to the facility. The inspection shall consist of a visual examination to ensure that each shipment of NESHAP RACM is received in intact, with no visible emissions, and sealed leak-tight containers labeled with appropriate hazard warning labels, the name of the waste generator, and the location of waste generation. The inspection also shall determine whether the waste shipment records accompany the consignment and accurately describe the waste material and quantity.

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

- c. Deposition and burial operations shall be conducted in a careful manner that prevents NESHAP RACM from being broken up or dispersed before the materials are buried.
- d. The permittee shall establish restricted access, adequate to deter the unauthorized entry of the general public and any unauthorized personnel, within 100 feet of the unloading, deposition, and burial areas for the NESHAP RACM. A hazard warning shall be displayed on signs not less than 20 x 14 inches in size, posted so they are visible before entering an area with NESHAP RACM disposal operations in progress; or, alternatively, mark vehicles used to transport NESHAP RACM with 21 x 14 inch signs so that the signs are displayed in such a manner and location that a person can easily read the legend. Display the following legend in the lower panel with letter sizes and styles of a visibility at least equal to those specified in this paragraph.

Legend:

DANGER
 ASBESTOS DUST HAZARD
 CANCER AND LUNG DISEASE HAZARD
 Authorized Personnel Only

Notation

2.5 cm (1 inch) Sans Serif, Gothic or Block

2.5 cm (1 inch) Sans Serif, Gothic or Block

1.9 cm (3/4 inch) San Serif, Gothic or Block

14 Point Gothic

Spacing between any two lines must be at least equal to the height of the upper of the two lines.

- e. The NESHAP RACM material shall not:
 - i. be disposed in the active working face of the C&D landfill or within 100 feet of the active working face;
 - ii. be disposed in previously-disposed C&D waste; and
 - iii. be disposed above ground level.
- f. The permittee shall prepare for the disposal of NESHAP RACM wastes in accordance with the following:
 - i. Have disposal cells and enough soil for 12 inches of cover ready on a continuous basis.
 - ii. Require sufficient notice from the generators or transporters of the delivery of NESHAP RACM material to ensure that trained personnel will be on-site to inspect the load and that the cell is ready to receive NESHAP RACM material.
- g. The permittee shall cover and compact NESHAP RACM wastes in accordance with the following:
 - i. As soon as practicable after the placement of NESHAP RACM, but no later than the end of each working day, the NESHAP RACM deposited at the site during the operating day shall be covered with at least 12 inches of soil. Once the NESHAP RACM are covered, the area may be compacted. The owner or operator shall insure that the 12 inches of daily cover are maintained until intermediate cover is placed on the area;
 - ii. Once the NESHAP RACM has reached ground level, the owner or operator shall place an additional intermediate cover of 12" of soil. The owner or operator shall perform measures to protect the intermediate cover from erosion if the intermediate cover is exposed or will be exposed, for more than one hundred eighty days.
 - iii. Care shall be taken to ensure that disposed NESHAP RACM shall not be re-excavated in subsequent operations. Any accidentally exposed material shall be immediately recovered in accordance with the provisions of condition (g)(i) above; and,
 - iv. Once final closure of the facility is mandatory as specified in OAC 3745-400-12(B), an

additional final cover above the daily and intermediate cover shall be constructed according to OAC 3745-400-07(G)(2).

- h. The permittee shall implement and maintain an Asbestos Disposal Operating Procedure and Spill Contingency Plan (Plan) consisting of: authorized personnel training, inspection and disposal operating procedures, non-conforming load response procedures, inventory and maintenance procedures for safety and emissions control equipment, record keeping procedures, and emergency notification procedures. Authorized personnel shall be knowledgeable in the procedures, and the Plan shall be available for inspection at this facility at all times. Authorized personnel who have received training and are knowledgeable of asbestos disposal shall be present during any receipt/disposal of NESHAP RACM.

The permittee shall implement the requirements of the "Operations and Control Manual for Asbestos Disposal" submitted as part of the Permit to Install application unless it is in conflict with the Air Emission Summary or Additional Special Terms and Conditions of this permit.

- i. Emissions control equipment shall be available for wetting and containing NESHAP RACM in the event of a release or non-conforming load disposal. All equipment required to implement the Plan shall be maintained in accordance with good engineering practices to ensure that the equipment is in a ready-to-use condition and in an appropriate location for use.
- j. This facility shall ensure that any asbestos materials which are not NESHAP RACM shall not become friable while at the landfill. If any such asbestos materials become friable at the landfill, this facility shall adequately wet or encapsulate it if necessary to prevent visible emissions and shall treat it as NESHAP RACM by following the Disposal Requirements for NESHAP RACM in this permit for the disposal of this material.
- k. The deposition and burial operation shall be conducted in a manner that prevents handling by equipment or persons that cause NESHAP RACM containers to unsealed.
- l. The permittee shall ensure employees who work in areas where asbestos is handled are trained according to the "Operations and Control Manual for Asbestos Disposal" submitted as part of the Permit to Install. Records shall be maintained at the facility identifying those trained in the handling of asbestos-containing materials and associated health dangers.
5. This facility shall be limited to accepting for disposal no more than 50,000 tons per calendar year of any NESHAP RACM as defined in Term B.3.a.
6. All vehicles hauling C&D materials 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.

The permittee shall ensure C&D materials are deposited, spread and compacted in such a manner as to minimize or prevent visible particulate emissions of fugitive dust.

- a. When dumping C&D materials, the permittee shall implement the following procedures:
 - i. Any loads which appear to contain dusty C&D materials shall be watered prior to dumping of the load.
 - ii. No dusty C&D materials shall be dumped during periods of high wind speed, unless they have been treated to prevent them from becoming airborne.
 - iii. The permittee shall ensure that all truckloads of C&D materials are unloaded in a manner which will minimize the drop height of the C&D materials and are dumped as near to the point of final placement as possible.
 - iv. During the dumping of any load of C&D materials, in which dusty C&D materials become airborne, the C&D materials shall be watered as necessary to minimize visible particulate emissions of fugitive dust.
- b. When handling and stockpiling C&D materials and/or cover materials, the permittee shall implement the following procedures:
 - i. Any dusty C&D materials to be stored prior to disposal, shall be watered, as necessary, or have a temporary soil cover. All exposed C&D materials shall be covered with cover materials by the end of each week's operation. To minimize handling of the C&D materials, spreading and compacting shall occur in one operation.
 - ii. The permittee shall minimize the handling and stockpiling of cover materials, except for top soil. Unvegetated cover materials and soil in the waste disposal area must be periodically wetted with water and shall be handled in such a manner to minimize or eliminate visible particulate emissions of fugitive dust. The frequency and amounts of this water application will depend on weather conditions, cover material conditions, and soil conditions.
 - iii. 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.
 - iv. The visible particulate emissions of fugitive dust from C&D material handling and covering operations described in these terms and conditions shall not exceed twenty percent (20%) opacity, as a three-minute average, determined by using USEPA Method 9

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as specified by OAC rule 3745-17-03(B).

The permittee shall ensure that any Category I non-friable asbestos containing material which has not or will not be subjected to any sanding, grinding, cutting, or abrading shall not become friable during processing at the landfill. Any asbestos-containing material that is or becomes friable is subject to 40 CFR, Part 61, Subpart A, General Provisions, and 40 CFR, Subpart M, National Emission Standard for Asbestos.

7. Annual Amount of C&D materials allowed to be Accepted for Disposal:

This facility shall be limited to accepting for disposal no more than 50,000 tons per calendar year of any C&D materials as defined in Term B.3.b.

8. This facility shall not be allowed to accept for disposal or to dispose:

- a. bottom ash, fly ash, or spent foundry sands that exceed the non-toxic criteria in the Definitions and Material Testing Requirements in the Division of Surface Water document number DSW 0400.028;
- b. other exempted wastes that exceed the non-toxic criteria in the Definitions and Material Testing Requirements in the Division of Surface Water document number DSW 0400.028;
- c. foundry sands commingled with other wastes such as cans, casting scraps, pallets, etc. which shall be regarded as solid waste;
- d. any material containing less than twenty percent solids or one that contains free-standing liquids;
- e. municipal solid waste;
- f. any waste containing infectious and chemotherapeutic waste materials;
- g. any waste containing radioactive material;
- h. tires, freezers, refrigerators, and air conditioners; and,
- i. burning or smoldering waste.

9. NESHAP RACM waste shall be accepted at the site only between the hours of 7:30 a.m. and 3:00 p.m. Monday through Friday, and between 7:30 a.m. and 10:00 a.m. on Saturday.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall maintain records of the following information:

- a. the waste shipment record form (including the authorized landfill personnel accepting the shipment) for each shipment of NESHAP RACM; and

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- b. the location, depth and area, and quantity in cubic yards of all NESHAP RACM within the disposal site, on a map or diagram of the disposal area.

2. 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 (tons) of C&D materials received;
 - b. the amount (tons) of NESHAP RACM received; and
 - c. a record of water applications required by Term and Condition B.4.g.

Reporting Requirements

1. The permittee shall submit quarterly reports summarizing the NESHAP RACM disposal activities. The reports shall contain the following information:
 - a. the name, address and location of the facility; the calendar period covered by the report; and any changes in the methods of storage or the disposal operations; and,
 - b. a list of all NESHAP RACM consignments received including: the date received, the name of the waste generator, the name and location of the facility where the load originated, the quantity of NESHAP RACM contained in each load, any discrepancy or non-conformity discovered, and an annual summation, in tons, of NESHAP RACM received at the facility.

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

2. As soon as possible and no longer than 30 days after receipt of the NESHAP RACM, the permittee shall send a copy of the signed waste shipment record to the waste generator.
3. Upon discovering a discrepancy between the quantity of waste designated on a waste shipment record and the quantity actually received, the permittee shall attempt to reconcile the discrepancy with the waste generator. If the discrepancy is not resolved within 15 days after receiving the waste, immediately report in writing to the State, local, district, or USEPA regional office responsible for administering the asbestos NESHAP program for the waste generator (identified in the waste shipment record), and, if different, the Ohio EPA, Southwest District Office. Describe the discrepancy and attempts to reconcile it, and submit a copy of the waste shipment record along with the report.

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4. The permittee shall submit, upon closure of the facility, a copy of the records of the NESHAP RACM disposal locations and quantities.
5. The permittee shall notify the Ohio EPA, Southwest District Office in writing at least 45 days prior to excavating or otherwise disturbing any NESHAP RACM that has been deposited at a waste disposal site and is covered. If the excavation will begin on a date other than the one contained in the original notice, notice of the new start date must be provided at least 10 working days before excavation begins and in no event shall excavation begin earlier than the date specified in the original notification. The following information shall be included in the notice:
 - a. scheduled starting and completion dates;
 - b. reason for disturbing the waste;
 - c. procedures to be used to control emissions during the excavation, storage, transport, and ultimate disposal of the excavated NESHAP RACM. (If deemed necessary, the Director may require changes in the proposed emission control procedures); and,
 - d. location of any temporary storage site and the final disposal site.
6. The permittee shall notify the Ohio EPA, Southwest District Office of any load of NESHAP RACM which is rejected, or any non-conforming load disposed of in accordance with the "Asbestos Spill Contingency Plan." Notification shall be provided as soon as possible by a phone contact, followed in writing by the next working day. The written notification shall provide a copy of the waste shipment record ("WSR"), if available, or when waste is not shipped with a WSR, provide available information concerning vehicle identification, source of the load, a description of the load, nature of discrepancy, and the location of disposal. A copy of the written notification shall be provided to the specific agency responsible for administering the NESHAP program for the jurisdiction where the job site is located (identified on the WSR). If possible, non-conforming loads of suspect friable material shall be detained, or the location of disposal protected from damage, until the Ohio EPA is informed and provided the opportunity to inspect.
7. Each year the permittee shall submit an annual report summarizing the information recorded pursuant to C.2.

This report shall be submitted no later than January 31 and shall cover the previous calendar year.

E. Testing Requirements

1. Emission Limitation:
 - a. For material handling operations for the landfill disposal of NESHAP RACM, there shall be no visible emissions during transportation, transfer, unloading, deposition or

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compacting operations.

- b. The visible particulate emissions of fugitive dust from C&D material handling and covering operations shall not exceed 20% opacity as a 3-minute average.

Applicable Compliance Method:

Use Test Method 9 as per OAC rule 3745-17-03(B)(5).

2. Emission Limitation:

50,000 tons of NESHAP RACM and 50,000 tons of C&D materials per calendar year to be accepted for disposal

Applicable Compliance Method:

The recordkeeping requirements contained in Term C.2. (based on the assumed density of 0.25 ton of material per cubic yard of compacted NESHAP RACM and 0.25 ton of material per cubic yard of compacted C&D materials).

3. Emission Limitation:

0.2 TPY [0.1 TPY non-asbestos PM (no asbestos emissions allowed) associated with NESHAP RACM and 0.1 TPY PM associated with C&D materials]

Applicable Compliance Method:

Compliance with this emissions limit shall be demonstrated by using the following equation:

[the amount (tons) of NESHAP RACM received + the amount (tons) of C&D materials received]/yr x 0.000002 Ton PM/Ton of NESHAP RACM and C&D materials received

If required, the permittee shall demonstrate compliance with this emission limitation in accordance with methods approved by the Ohio EPA.

F. Miscellaneous Requirements

1. The notifications and any reports required in this permit are to be submitted to The Ohio Environmental Protection Agency, Southwest District Office, Division of Air Pollution Control, 401 East Fifth Street, Dayton, Ohio, 45402.