State of Ohio Environmental Protection Agency

RE: FINAL PERMIT TO INSTALL **CERTIFIED MAIL**
BELMONT COUNTY

Street Address:
122 S. Front Street
Lazarus Gov. Center **TELE:** (614) 644-3020 **FAX:** (614) 644-2329
Mailing Address:
Lazarus Gov. Center
P.O. Box 1049

Application No: 06-08059
Fac ID: 0607960048
DATE: 3/2/2006

Lash Excavating and Paving Genset 1
David Lash
PO Box 296
Colerain, OH 43916

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, I urge you to read it carefully.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469.

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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Sincerely,

Michael W. Ahern

Michael W. Ahern, Manager
Permit Issuance and Data Management Section
Division of Air Pollution Control

CC: **USEPA** **SEDO**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install	**Issue Date: 3/2/2006**
Terms and Conditions	**Effective Date: 3/2/2006**

FINAL PERMIT TO INSTALL 06-08059

Application Number:	06-08059
Facility ID:	0607960048
Permit Fee:	**$400**
Name of Facility:	Lash Excavating and Paving Genset 1
Person to Contact:	David Lash
Address:	PO Box 296 Colerain, OH 43916

Location of proposed air contaminant source(s) [emissions unit(s)]:
1422 County Road 7F
Toronto, **Ohio**

Description of proposed emissions unit(s):
Diesel engine generator.

The above named entity is hereby granted a Permit to Install for the above described emissions unit(s) 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 above described emissions unit(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 and specifications, the above described emissions unit(s) of pollutants will be granted the necessary permits to operate (air) or NPDES permits as applicable.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Joseph P. Koncelik

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

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 Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

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 ninety (90) 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 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

Pollutant	Tons Per Year
PE	2.08
NOx	71.38
CO	16.36
SO2	13.38
OC	2.10

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
P001 - Genset No. 1, Detroit Diesel 16V-92 TA rated at 918 Hp	OAC rule 3745-31-05(A)(3)
	OAC rule 3745-17-07(A)(1)
	OAC rule 3745-18-06(G)
	OAC rule 3745-23-06(B)
	OAC rule 3745-21-08(B)
	OAC rule 3745-17-11(B)(5)(b)

Applicable Emissions Limitations/Control Measures	
	exceed 20% opacity as a six-minute average, except as provided by rule.
Emissions shall not exceed:	Exempt. See Section A.2.c below.
2.08 TPY of particulate emissions (PE);	See Section A.2.d below.
22.03 lbs/hr and 71.38 TPY of nitrogen oxides (NO_x);	See Section A.2.e below.
5.05 lbs/hr and 16.36 TPY of carbon monoxide (CO);	
4.13 lbs/hr and 13.38 TPY of sulfur dioxide (SO_2); and	
0.65 lb/hr and 2.10 TPY of organic compounds (OC).	
The requirements of this rule also include compliance with the requirements of OAC rules 3745-17-11(B)(5)(b), 3745-17-07(A), 3745-23-06, and 3745-21-08.	
Emissions shall not exceed 0.35 lb PE/million Btu of actual heat input. See Section A.2.a below.	
Emissions shall not exceed 0.062 lb PE/million Btu of actual heat input. See Section A.2.b below.	
Visible particulate emissions from the exhaust stack shall not	

2. Additional Terms and Conditions

2.a The requirement to comply with this particulate emission limitation shall terminate on the date the U.S. EPA approves the 0.062 lb/million Btu actual heat input emission limitation as a revision to the Ohio SIP for particulate matter.

2.b This particulate emission limitation shall be effective and federally enforceable on the date the U.S. EPA approves this particulate emission limitation as a revision to the Ohio SIP for particulate matter.

2.c This emissions unit is exempt from the requirements of OAC rule 3745-18-06(G) pursuant to OAC rule 3745-18-06(B).

2.d The permittee has satisfied the "latest available control techniques and operating practices required pursuant to OAC rule 3745-23-06(B) by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3) in this permit to install.

On February 15, 2005, OAC rule 3745-23-06 was rescinded; therefore, paragraph (B) is no longer part of the State regulations. However, that rule revision has not yet been submitted to the U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the U.S. EPA approves the revision, the requirement to satisfy the "latest available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

2.e The permittee has satisfied the "best available control techniques and operating practices" required pursuant to OAC rule 3745-21-08(B) by committing to comply with the best available technology requirements established pursuant to OAC rule 3745-31-05(A)(3) in this Permit to Install.

On November 5, 2002, OAC rule 3745-21-08 was revised to delete paragraph (B); therefore, paragraph (B) is no longer part of the State regulations. However, that rule revision has not yet been submitted to the 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 revisions to OAC rule 3745-21-08, the requirement to satisfy the "best available control techniques and operating practices" still exists as part of the federally-approved SIP for Ohio.

B. Operational Restrictions

1. Annual operating hours for this emissions unit shall not exceed 6,480 hours per year.

2. The permittee shall only burn low sulfur No. 2 or diesel fuel, containing less than 0.5% sulfur by weight, in this emissions unit.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall maintain records of the total operating hours for each month.

2. The permittee shall maintain documentation on the sulfur content of all fuels received.

3. For each day during which the permittee burns a fuel other than low sulfur No. 2 or diesel fuel, the permittee shall maintain a record of the type and quantity of fuel burned in this emissions unit.

D. Reporting Requirements

1. The permittee shall submit a deviation report identifying any exceedance of the annual operating hours restriction. The report shall be submitted within 30 days after the exceedance occurs.

2. The permittee shall submit deviation (excursion) reports that identify each day when a fuel other than low sulfur No. 2 or diesel fuel was burned in this emissions unit. The report shall be submitted within 30 days after the exceedance occurs.

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:
   2.08 TPY of PE

   Applicable Compliance Method:
   Compliance with the tons per year emission limitation shall be demonstrated by multiplying the emission factor from AP-42, Table 3.4-1, 10/1996 (0.0007 lb/Hp-hr)by the maximum rated capacity of P001 (918 Hp) and the actual annual hours of operation, then dividing by 2000 lbs/ton.

   b. Emissions Limitation:
   22.03 lbs/hr and 71.38 TPY of NO_x

Applicable Compliance Method**:**
Compliance with the lbs/hr emission limitation shall be demonstrated by multiplying the emission factor from AP-42, Table 3.4-1, 10/1996 (0.024 lb/Hp-hr)by the maximum rated capacity of P001 (918 Hp). Compliance with the tons per year emission limitation is demonstrated by multiplying the actual annual hours of operation by the lbs/hr emission calculation, then dividing by 2000 lbs/ton.

If required, the permittee shall demonstrate compliance with the lbs/hr emission limitation in accordance with the methods and procedures specified in Methods 1-4 and 7 of 40 CFR Part 60, Appendix A.

c. Emissions Limitation:
5.05 lbs/hr and 16.36 TPY of CO

Applicable Compliance Method:
Compliance with the lbs/hr emission limitation shall be demonstrated by multiplying the emission factor from AP-42, Table 3.4-1, 10/1996 (0.0055 lb/Hp-hr)by the maximum rated capacity of P001 (918 Hp). Compliance with the tons per year emission limitation is demonstrated by multiplying the actual annual hours of operation by the lbs/hr emission calculation, then dividing by 2000 lbs/ton.

d. Emissions Limitation:
4.13 lbs/hr and 13.38 TPY of SO_2

Applicable Compliance Method:
Compliance with the lbs/hr emission limitation shall be demonstrated by multiplying the emission factor from AP-42, Table 3.4-1, 10/1996 (0.0045 lb/HP-hr) by the maximum allowable sulfur content (0.5%) and the maximum rated capacity of P001 (918 HP). Compliance with the tons per year emission limitation is demonstrated by multiplying the actual annual hours of operation by the lbs/hr emission calculation, then dividing by 2000 lbs/ton.

If required, the permittee shall demonstrate compliance with the lbs/hr emission limitation in accordance with the methods and procedures specified in Methods 1-4 and 6 of 40 CFR Part 60, Appendix A.

e. Emissions Limitation:

0.65 lb/hr and 2.10 TPY of OC

Applicable Compliance Method:
Compliance with the lbs/hr emission limitation shall be demonstrated by multiplying the emission factor from AP-42, Table 3.4-1, 10/1996 (0.000705 lb/Hp-hr)by the maximum rated capacity of P001 (918 Hp). Compliance with the tons per year emission limitation is demonstrated by multiplying the actual annual hours of operation by the lbs/hr emission calcultion, then dividing by 2000 lbs/ton.

If required, the permittee shall demonstrate compliance with the lbs/hr emission limitation in accordance with the methods and procedures specified in Methods 1-4 and 25A of 40 CFR Part 60, Appendix A.

f. Emissions Limitation:
Emissions shall not exceed 0.35 lb PE/million Btu of actual heat input.

Applicable Compliance Method:
Compliance shall be determined based on the emission factor of 0.062 lb/million Btu specified in AP-42, Table 3.4-2, 10/1996. Note that Ohio EPA has revised the emission limitation specified in OAC rule 3745-17-11(B)(5)(b) based upon the currently applicable emission factor. The revised rule was adopted by the Director of Ohio EPA in December of 1997, and it will be submitted to the U.S. EPA as a proposed revision to the Ohio SIP for particulate matter. When the SIP revision is approved by the U.S. EPA, the 0.35 lb/million Btu actual heat input emission limitation will no longer be applicable.

g. Emissions Limitation:
Emissions shall not exceed 0.062 lb PE/million Btu of actual heat input.

Applicable Compliance Method:
Compliance shall be determined based on the emission factor of 0.062 lb/million Btu specified in AP-42, Table 3.4-2, 10/1996.

If required, the permittee shall demonstrate compliance with this emission limitation in accordance with the methods and procedures specified in Methods 1-5 of 40 CFR Part 60, Appendix A.

h. Emissions Limitation:
Visible particulate emissions from the exhaust stack shall not exceed 20%

opacity as a six-minute average, except as provided by rule.

Applicable Compliance Method:
If required, the permittee shall demonstrate compliance with this emission limitation in accordance with Method 9 of 40 CFR Part 60, Appendix A.

F. Miscellaneous Requirements

1. Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p)(i), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a PTI providing the following criteria are met:

   a. The portable emissions unit is equipped with the best available control technology for such portable emissions unit;

   b. The portable emissions unit is operating pursuant to a currently effective permit to install, permit to operate or registration;

   c. The applicant has provided proper notice of intent to relocate the portable emissions unit to the Southeast District Office (SEDO) and the appropriate field office having jurisdiction over the new site within a minimum of thirty days prior to the scheduled relocation; and

   d. In the SEDO's and the appropriate field office's judgement, the proposed site is acceptable under the rule 3745-15-07 of the Administrative Code.

2. In the alternative, pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a PTI providing the following criteria of OAC rule 3745-31-05(F) are met:

   a. The portable emissions unit permittee possesses an Ohio EPA PTI, PTO or registration status;

   b. The portable emissions unit is equipped with best available technology;

   c. The portable emission unit owner has identified the proposed site to Ohio EPA;

   d. Ohio EPA has determined that the portable emissions unit, at the proposed site, will have an acceptable environmental impact;

   e. A public notice, consistent with Chapter 3745-47 of the Administrative Code, is

published in the county where the proposed site is located;

f. The owner of the proposed site has provided the portable emissions unit owner with approval or equivalent declaration that it is acceptable to the site owner to move the portable emissions unit to the proposed site; and

g. The portable emissions unit owner has provided the Ohio EPA with fifteen days written notice of the relocation.

Any site approvals issued by the Ohio EPA, pursuant to this section, shall be valid for no longer than three years and are subject to renewal.

3. In order for the SEDO and the appropriate field office having jurisdiction over the new site to determine compliance with all of the above criteria, the owner or operator of the portable or mobile emissions unit must file a "Notice of Intent to Relocate", within the specified time frame (30 or 15 days) prior to the relocation of the emissions unit with the SEDO (2195 Front Street, Logan, Ohio 43138) and the appropriate office having jurisdiction over the new site. Upon receipt of the notice, the SEDO and/or the appropriate field office having jurisdiction over the new site, will evaluate the request in accordance with the above criteria.

4. The permittee should be advised that when portable emission units are located at a stationary source or at a source comprised of portable emission units, potential emissions from the portable emission units are included in the facility potential to emit calculations for Title V and PSD applicability.

   The permittee shall include a potential to emit analysis of facility-wide emissions (including the portable sources) for the proposed relocation in the "Notice of Intent to Relocate".

5. Modeling to demonstrate compliance with the Ohio EPA's "Air Toxic Policy" was not necessary because the emissions unit's maximum annual emissions for each toxic compound will be less than 1.0 ton. OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by OAC rule 3745-31-01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any pollutant that has a listed TLV to increase to above 1.0 ton per year may require the permittee to apply for and obtain a new permit to install.