



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL
COSHOCOTON COUNTY**

CERTIFIED MAIL

Street Address:

50 West Town Street, Suite 700

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Mailing Address:

Lazarus Gov. Center
P.O. Box 1049

Application No: 06-08259

Fac ID: 0616940020

DATE: 1/23/2007

Oxford Mining Company Inc.
Wayne Light
PO Box 427 544 Chestnut St.
COSHOCOTON, OH 43812

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

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

Sincerely,

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: 1/23/2007

FINAL PERMIT TO INSTALL 06-08259

Application Number: 06-08259
Facility ID: 0616940020
Permit Fee: **\$1200**
Name of Facility: Oxford Mining Company Inc.
Person to Contact: Wayne Light
Address: PO Box 427 544 Chestnut St.
COSHOCTON, OH 43812

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

**Twp. Rd. 191
Cadiz, Ohio**

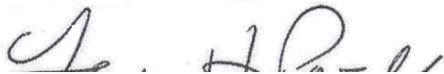
Description of proposed emissions unit(s):

Portable railcar coal loading station.

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



Laura Powell
Acting 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 (i.e., postmarked) quarterly 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

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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)

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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.

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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

<u>Pollutant</u>	<u>Tons Per Year</u>
fugitive PE	5.39

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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.

Operations, Property, and/or Equipment - (F001) - 0.5 mile Unpaved roadways and parking areas serving the portable railcar loading facility with a maximum of 10,000 vehicle miles traveled per year.

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	<p>Total fugitive particulate emissions (PE) shall not exceed 4.30 TPY.</p> <p>No visible PE except for 3 minutes during any 60-minute period.</p> <p>Best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust (See Sections A.2.a through A.2.g.).</p>
OAC rule 3745-17-07(B)(5) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-08(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

2. Additional Terms and Conditions

- 2.a** The unpaved roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

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Emissions Unit ID: F001

Issued: 1/23/2007unpaved roadways:

0.5 miles of roadways total: all unpaved roadways, parking areas, material handling areas and the storage pile areas which serve the portable railcar coal loading facility.

- A - Entrance / exit access roadway including material handling (96,520 ft² (40' x 2640' ≈0.5 mi.))
- B - Equipment parking area (1250 ft²)
- C - Equipment parking area (1125 ft²)
- D - Scale House parking area (300 ft²)

- 2.b** The permittee shall employ best available control measures on all unpaved roadways 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 unpaved roadways and parking areas by watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.c** The needed frequencies of implementation of the control measures shall be determined by the permittee's inspections pursuant to the monitoring section of this permit. Implementation of the control measures shall not be necessary for an 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.d** Any unpaved roadway or parking area, which during the term of this permit is paved or takes the characteristics of a paved surface due to the application of certain types of dust suppressants, may be controlled using appropriate dust control measures for paved roadway or parking areas. Any unpaved roadway or parking area that takes the characteristics of a paved surface due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation of no visible emissions except for one minute during any 60-minute period.

Emissions Unit ID: **F001**

- 2.e The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- 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 minimum frequencies:

<u>Roadway and Parking areas identification</u>	<u>minimum load-in inspection frequency</u>
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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 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

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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 C.3.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 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.

E. Testing Requirements

- 2. Compliance with the emission limitations in section A.1 of the terms and conditions of this permit shall be determined in accordance with the following methods:
 - a. Emission Limitation:

No visible PE except for 3 minute during any 60-minute period.

Compliance Method:

If required, visible particulate emissions shall be determined according to test Method 22 as set forth in the "Appendix on Test Methods" in 40 CFR, Part 60 "Standards of Performance for New Stationary Sources" as such appendix

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existed on July 1, 2002, with the modifications found in OAC 3745-17-03(B)(4).

b. Emission Limitation:

Total fugitive particulate emissions (PE) shall not exceed 4.30 TPY.

Compliance Method:

The emission factor calculation for unpaved roadways and parking areas in AP-42 section 13.2.2 (11/06) shall be utilized to determine compliance. Initial compliance has been determined using inputs representing Potential To Emit (PTE) conditions as follows:

UNPAVED AREAS

$$E = K (S/12)^a (W/3)^b ((365 - P)/365)$$

Where

E = size-specific emission factor (lb/VMT)

a = 0.7

b = 0.45

K = particle size multiplier = 4.9

S = silt content of road surface material % = 10

W = mean vehicle weight (tons) = 39

P = number of "wet" days with at least 0.01 inch of precipitation during period = 135

N = number of days in averaging period = 365

Total PE (unpaved) = 8.61 lb/VMT

Now , to calculate the actual emissions, multiply the emission factor by VMT/yr and control efficiency of 95% per roadway, to obtain the annual PE rates:

$$\text{Annual: PE (TPY)} = \frac{\text{unpaved (8.61 lb/VMT)} \times (10000 \text{ VMT/yr}) \times (1-0.90)}{2000 \text{ lbs/ton}}$$

$$\text{Total PE (TPY)} = 4.30$$

F. Miscellaneous Requirements

1. Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p), the permittee of a portable source may relocate within the State of Ohio without first obtaining a permit to install (PTI) providing certain criteria are met. The portable source shall meet one of the two following options in order to qualify for this PTI exemption for the new location:
 - a. Option 1. The permittee has demonstrated that the portable source meets all requirements specified in OAC rule 3745-31-03(A)(1)(p)(i), including:
 - i. the portable source was issued a PTI and continues to comply with any applicable BAT requirements;
 - ii. the portable source is operating pursuant to a currently effective permit to install and/or any applicable permit to operate (PTO);
 - iii. the applicant has provided proper notice of the intent to relocate the portable source to the (1.) Ohio EPA District Office or local air agency responsible for the permit(s) for the source and (2.) the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site within a minimum of 30 days prior to the scheduled relocation; and
 - iv. the director has issued a notice stating that in the director's judgment, the proposed site is acceptable under rule 3745-15-07 of the Administrative Code.
 - b. Option 2. The permittee has demonstrated that the portable source meets all requirements specified in OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(E), including:
 - i. the portable source is currently in compliance with the currently effective PTI and/or any applicable PTO;
 - ii. the portable source was issued a PTI and, where BAT requirements were defined in that PTI, the portable source continues to comply with any applicable BAT requirements;
 - iii. the portable source owner has identified the proposed site to Ohio EPA;
 - iv. Ohio EPA has determined that the portable source, at the proposed site, will have an acceptable environmental impact;

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- v. a public notice, consistent with OAC Chapter 3745-47, is published in the county where the proposed site is located;
- vi. the owner of the proposed site has provided the portable source owner with approval or equivalent declaration that it is acceptable to the site owner to move the portable source to this proposed site; and
- vii. the portable source owner has provided Ohio EPA with 15 days written notice of the relocation.

Any site approvals issued by the Ohio EPA, pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), shall be valid for no longer than 3 years and are subject to renewal.

In order for the permitting Ohio EPA District Office or local air agency and the appropriate field office having jurisdiction over the new site to determine compliance with all of the above criteria, the permittee of the portable source must file a " Notice of Intent to Relocate" within the specified time frame (30 or 15 days), prior to the relocation of the portable source with the Ohio EPA District Office or local air agency responsible for the permits for the source and the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Upon receipt of the notice, the Ohio EPA District Office or local air agency responsible for the permits for the portable source, and/or appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site, will evaluate the request in accordance with the above criteria.

Failure to submit said notification and to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.

Pursuant to OAC rule 3745-31-05(F), the Director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

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 - (F002) - Coal storage pile for portable railcar coal loading facility, including load-in and load-out and wind erosion for maximum annual throughput of 421,000 tons/year and a maximum storage pile surface area of 1 Acre.

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	<p>Total fugitive particulate emissions (PE) shall not exceed 0.75 TPY.</p> <p>No visible PE except for one minute during any 60-minute period.</p> <p>Best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust (See Sections A.2.a through A.2.f)</p>
OAC rule 3745-17-07(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-08(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3)

2. Additional Terms and Conditions

- 2.a The storage piles that are covered by this permit and subject to the requirements of OAC rule 3745-31-05 are listed below:

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1 - 1 Acre coal storage pile (maximum annual throughput of 421,000 tons)

- 2.b** The permittee shall employ best available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to maintaining reduced drop height and moisture content to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.c** The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
- 2.d** The permittee shall employ best available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has committed to maintaining low pile height and moisture content to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.e** The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.
- 2.f** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05(A)(3).

B. Operational Restrictions

None

C. Monitoring and/or Recordkeeping Requirements

- 1. Except as otherwise provided in this section, the permittee shall perform inspections of each load-in operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-in inspection frequency</u>
Coal Storage Pile	Daily

- 2. Except as otherwise provided in this section, the permittee shall perform inspections of each load-out operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-out inspection frequency</u>
Coal Storage Pile	Daily

- 3. Except as otherwise provided in this section, the permittee shall perform inspections of the wind erosion from pile surfaces associated with each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum wind erosion inspection frequency</u>
Coal Storage Pile	Daily

- 4. No inspection shall be necessary for wind erosion from the surface of a storage pile when the pile is covered with snow and/or ice and for any storage pile activity if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not

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performed due to any of the above identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.

5. The purpose of the inspections is to determine the need for implementing the control measures specified in this permit for load-in and load-out of a storage pile, and wind erosion from the surface of a storage pile. The inspections shall be performed during representative, normal storage pile operating conditions.
6. The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement 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, for wind erosion from pile surfaces, the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measure(s).

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The information required in C.6.d. shall be kept separately for :

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

D. Reporting Requirements

1. The permittee shall submit quarterly deviation 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.

E. Testing Requirements

1. Compliance with the emission limitations in Section A.1. of the terms and conditions of this permit shall be determined in accordance with the following methods:

- a. Emission Limitation:

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

Compliance Method:

If required, compliance with the visible emission limitations for the storage piles 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").

b. Emission Limitation:

Total fugitive particulate emissions (PE) shall not exceed 0.75 tons per year total.

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Compliance Method:

Compliance shall be based on the emission factors found in AP-42, Compilation of Air Pollutant Emission Factors, Chapter 13.2.4 (11/06), Equation 1, for load-in and load-out operations and Control of Open Fugitive Dust Sources (9/88), for wind erosion.

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

LOAD IN / LOAD OUT

EMISSION FACTOR CALCULATION (from AP-42, Table 13.2.4 (11/06))

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

where:

k = 0.74 particle size multiplier for TSP
 U = 9 mean wind speed, 1.3 to 15 miles per hour
 M = 4.8 % moisture content of material, 0.25 to 4.8%

EF = 0.001493 pounds/ton

1 load-in

1 load-out

Throughput = 421,000 tons per year

Control efficiency = 70 % (moisture control Engineering estimate of the permittee)

LOAD IN/LOAD OUT

UNCONTROLLED PE EMISSIONS = 0.628 tons per year

CONTROLLED PE EMISSIONS = 0.188 tons per year

WIND EROSION CALCULATION (from Control of Open Fugitive Dust Sources (9/88))

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

where:

s = 4.6 silt content of stored material, wt. %
 p = 135 days/yr with > 0.01 inch precipitation

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f = 30 % of time wind speed exceeds 12 mph
 A = 1.0 total surface area of piles, acres

EF = 10.20 pounds/day/acre

Controls: 70 % efficient (moisture control Engineering estimate of the permittee)

WIND EROSION

UNCONTROLLED PE EMISSIONS = 1.86 tons per year

CONTROLLED PE EMISSIONS = 0.558 tons per year

TOTAL EMISSION SUMMARY

Load-in/load-out = 0.188 TPY

Wind erosion = 0.558 TPY

Total emissions = 0.75 TPY

F. Miscellaneous Requirements

1. Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p), the permittee of a portable source may relocate within the State of Ohio without first obtaining a permit to install (PTI) providing certain criteria are met. The portable source shall meet one of the two following options in order to qualify for this PTI exemption for the new location:
 - b. Option 1. The permittee has demonstrated that the portable source meets all requirements specified in OAC rule 3745-31-03(A)(1)(p)(i), including:
 - i. the portable source was issued a PTI and continues to comply with any applicable BAT requirements;
 - ii. the portable source is operating pursuant to a currently effective permit to install and/or any applicable permit to operate (PTO);
 - iii. the applicant has provided proper notice of the intent to relocate the portable source to the (1.) Ohio EPA District Office or local air agency responsible for the permit(s) for the source and (2.) the appropriate Ohio

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EPA District Office or local air agency having jurisdiction over the new site within a minimum of 30 days prior to the scheduled relocation; and

- iv. the director has issued a notice stating that in the director's judgment, the proposed site is acceptable under rule 3745-15-07 of the Administrative Code.

- b. Option 2. The permittee has demonstrated that the portable source meets all requirements specified in OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(E), including:
 - i. the portable source is currently in compliance with the currently effective PTI and/or any applicable PTO;
 - ii. the portable source was issued a PTI and, where BAT requirements were defined in that PTI, the portable source continues to comply with any applicable BAT requirements;
 - iii. the portable source owner has identified the proposed site to Ohio EPA;
 - iv. Ohio EPA has determined that the portable source, at the proposed site, will have an acceptable environmental impact;
 - v. a public notice, consistent with OAC Chapter 3745-47, is published in the county where the proposed site is located;
 - vi. the owner of the proposed site has provided the portable source owner with approval or equivalent declaration that it is acceptable to the site owner to move the portable source to this proposed site; and
 - vii. the portable source owner has provided Ohio EPA with 15 days written notice of the relocation.

Any site approvals issued by the Ohio EPA, pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), shall be valid for no longer than 3 years and are subject to renewal.

In order for the permitting Ohio EPA District Office or local air agency and the appropriate field office having jurisdiction over the new site to determine compliance with all of the above criteria, the permittee of the portable source must file a " Notice of

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Intent to Relocate" within the specified time frame (30 or 15 days), prior to the relocation of the portable source with the Ohio EPA District Office or local air agency responsible for the permits for the source and the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Upon receipt of the notice, the Ohio EPA District Office or local air agency responsible for the permits for the portable source, and/or appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site, will evaluate the request in accordance with the above criteria.

Failure to submit said notification and to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.

Pursuant to OAC rule 3745-31-05(F), the Director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

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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.

Operations, Property, and/or Equipment - (F003) - Material Handling for portable railcar coal loading facility including railcar loading with a maximum annual throughput of 421,000 tons/year (based on 225 tph).

Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
OAC rule 3745-31-05(A)(3)	<p>Total fugitive particulate emissions (PE) shall not exceed 0.34 TPY.</p> <p>No visible PE except for 3 minutes during any 60-minute period.</p> <p>Best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust (See Sections A.2.a through A.2.d.).</p>
OAC rule 3745-17-07(B)(4)&(5) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).
OAC rule 3745-17-08(B) (applicable only if this emissions unit is located in an area identified in Appendix A of OAC rule 3745-17-08)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).

2. Additional Terms and Conditions

- 2.a The material handling operations covered by this permit and subject to the requirements of OAC rule 3745-31-05 are listed below:

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Railcar coal loading (maximum annual throughput of 421,000 tons)

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- 2.b** The permittee shall employ best available control measures on all material handling operations 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 maintaining reduced drop height and moisture content to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.c** The above-mentioned control measure(s) shall be employed for all material handling operations. If the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
- 2.d** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05(A)(3).

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 material handling operation(s) at the following frequencies:

<u>material handling operation(s)</u>	<u>minimum inspection frequency</u>
Railcar coal loading	Daily

2. No inspection shall be necessary for material handling when 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 purpose of the inspections is to determine the need for implementing the control

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measures specified in this permit for material handling. The inspections shall be performed during representative, normal railcar coal loading operating conditions.

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 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 precipitation was sufficient to not require the control measure(s).

The information required in C.4.d. shall be kept separately for :

- i. the railcar coal loading operation,

and 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 quarterly deviation 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 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.

E. Testing Requirements

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1. Compliance with the emission limitations in Section A.1. of the terms and conditions of this permit shall be determined in accordance with the following methods:

- a. Emission Limitation:

No visible PE except for 3 minutes during any 60-minute period.

Compliance Method:

If required, compliance with the visible emission limitations for the material handling operation(s) 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").

- b. Emission Limitation:

Total fugitive particulate emissions (PE) shall not exceed 0.34 tons per year total.

Compliance Method:

Compliance shall be based on the emission factors found in AP-42, Compilation of Air Pollutant Emission Factors, Chapter 13.2.4 (11/06), Equation 1, for load-in operations.

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

RAILCAR COAL LOADING

EMISSION FACTOR CALCULATION (from AP-42, Table 13.2.4 (11/06))

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

where:

k =	0.74	particle size multiplier for TSP
U =	10	mean wind speed, 1.3 to 15 miles per hour
M =	5	% moisture content of material, 0.25 to 4.8%

EF = 0.001617 pounds/ton

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1 load-in
Throughput = 421,000 tons per year

Material Handling (Railcar Coal Loading) PE Emissions = 0.34 TPY.

F. Miscellaneous Requirements

1. Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p), the permittee of a portable source may relocate within the State of Ohio without first obtaining a permit to install (PTI) providing certain criteria are met. The portable source shall meet one of the two following options in order to qualify for this PTI exemption for the new location:
 - a. Option 1. The permittee has demonstrated that the portable source meets all requirements specified in OAC rule 3745-31-03(A)(1)(p)(i), including:
 - i. the portable source was issued a PTI and continues to comply with any applicable BAT requirements;
 - ii. the portable source is operating pursuant to a currently effective permit to install and/or any applicable permit to operate (PTO);
 - iii. the applicant has provided proper notice of the intent to relocate the portable source to the (1.) Ohio EPA District Office or local air agency responsible for the permit(s) for the source and (2.) the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site within a minimum of 30 days prior to the scheduled relocation; and
 - iv. the director has issued a notice stating that in the director's judgment, the proposed site is acceptable under rule 3745-15-07 of the Administrative Code.
 - b. Option 2. The permittee has demonstrated that the portable source meets all requirements specified in OAC rules 3745-31-03(A)(1)(p)(ii) and 3745-31-05(E), including:
 - i. the portable source is currently in compliance with the currently effective PTI and/or any applicable PTO;
 - ii. the portable source was issued a PTI and, where BAT requirements were defined in that PTI, the portable source continues to comply with any

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- applicable BAT requirements;
- iii. the portable source owner has identified the proposed site to Ohio EPA;
 - iv. Ohio EPA has determined that the portable source, at the proposed site, will have an acceptable environmental impact;
 - v. a public notice, consistent with OAC Chapter 3745-47, is published in the county where the proposed site is located;
 - vi. the owner of the proposed site has provided the portable source owner with approval or equivalent declaration that it is acceptable to the site owner to move the portable source to this proposed site; and
 - vii. the portable source owner has provided Ohio EPA with 15 days written notice of the relocation.

Any site approvals issued by the Ohio EPA, pursuant to OAC rule 3745-31-03(A)(1)(p)(ii), shall be valid for no longer than 3 years and are subject to renewal.

In order for the permitting Ohio EPA District Office or local air agency and the appropriate field office having jurisdiction over the new site to determine compliance with all of the above criteria, the permittee of the portable source must file a " Notice of Intent to Relocate" within the specified time frame (30 or 15 days), prior to the relocation of the portable source with the Ohio EPA District Office or local air agency responsible for the permits for the source and the appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site. Upon receipt of the notice, the Ohio EPA District Office or local air agency responsible for the permits for the portable source, and/or appropriate Ohio EPA District Office or local air agency having jurisdiction over the new site, will evaluate the request in accordance with the above criteria.

Failure to submit said notification and to receive Ohio EPA approval prior to relocation of the portable source may result in fines and civil penalties.

Pursuant to OAC rule 3745-31-05(F), the Director may modify the site approval to add or delete certain portable sources or add or delete certain terms and conditions as appropriate.

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SIC CODE 1221 SCC CODE 30501090 EMISSIONS UNIT ID F001

EMISSIONS UNIT DESCRIPTION 0.5 mile Unpaved roadways and parking areas with a maximum of 10,000 vehicle miles traveled per year.

DATE INSTALLED 9/1/2001

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

Pollutants	Air Quality Description	Actual Emissions Rate		PTI Allowable	
		Short Term Rate	Tons Per Year	Short Term Rate	Tons Per Year
Particulate Matter	attainment	no VEs, 3 min /60	4.30	no VEs, 3 min /60	4.30
PM ₁₀					
Sulfur Dioxide					
Organic Compounds					
Nitrogen Oxides					
Carbon Monoxide					
Lead					
Other: Air Toxics					

APPLICABLE FEDERAL RULES: NA

NSPS? _____ NESHAP? _____ PSD? _____ OFFSET POLICY? _____

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

Enter Determination watering

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY? no

OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT? \$ not specified

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*? _____ YES X NO

IDENTIFY THE AIR CONTAMINANTS: _____

Emissions Unit ID: F003

SIC CODE 1221 SCC CODE 30501009 EMISSIONS UNIT ID F002
 EMISSIONS UNIT DESCRIPTION Coal storage pile, including load-in and load-out and wind erosion for maximum annual throughput of 421,000 tons/year and a maximum storage pile surface area of 1 Acre.

DATE INSTALLED 9/1/2001

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

Pollutants	Air Quality Description	Actual Emissions Rate		PTI Allowable	
		Short Term Rate	Tons Per Year	Short Term Rate	Tons Per Year
Particulate Matter	attainment	no VEs, 1 min/60	0.75	no VEs, 1 min / 60	0.75
PM ₁₀					
Sulfur Dioxide					
Organic Compounds					
Nitrogen Oxides					
Carbon Monoxide					
Lead					
Other: Air Toxics					

APPLICABLE FEDERAL RULES: NA

NSPS? _____ NESHAP? _____ PSD? _____ OFFSET POLICY? _____

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

Enter Determination limit pile height, and maintain moisture content

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY? no
 OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT? \$ not specified

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*? _____ YES X NO

IDENTIFY THE AIR CONTAMINANTS: _____

Oxford Mining Company Inc.
PTI Application: 06-08259
Issued: 1/23/2007

Facility ID: 0616940020

Emissions Unit ID: **F003**

SIC CODE 1221 SCC CODE 30501015 EMISSIONS UNIT ID F003
 EMISSIONS UNIT DESCRIPTION Material Handling including railcar loading with a maximum annual throughput of 421,000 tons/year.
 DATE INSTALLED 9/1/2001

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

Pollutants	Air Quality Description	Actual Emissions Rate		PTI Allowable	
		Short Term Rate	Tons Per Year	Short Term Rate	Tons Per Year
Particulate Matter	attainment	no VEs, 3 min /60	0.34	no VEs, 3 min /60	0.34
PM ₁₀					
Sulfur Dioxide					
Organic Compounds					
Nitrogen Oxides					
Carbon Monoxide					
Lead					
Other: Air Toxics					

APPLICABLE FEDERAL RULES: NA

NSPS? _____ NESHAP? _____ PSD? _____ OFFSET POLICY? _____

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

Enter Determination minimize drop height, and moisture content

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY? no

OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT? \$ not specified

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*? _____ YES X NO

IDENTIFY THE AIR CONTAMINANTS: _____