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Facility Name: **East Fairfield Coal Company**

Application Number: **02-2738**

Date: **June 30, 1999**

GENERAL PERMIT CONDITIONS

TERMINATION OF PERMIT TO INSTALL

Substantial construction for installation must take place within 18 months of the effective date of this permit. 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.

NOTICE OF INSPECTION

The Director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above-named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, or to examine records or reports pertaining to the construction, modification or installation of the source(s) of environmental pollutants identified within this permit.

CONSTRUCTION OF NEW SOURCES

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

If the construction of the proposed source(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 Ohio Administrative Code (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

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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 applicable standards.

PERMIT TO INSTALL FEE

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 30 days of the effective date of this permit to install.

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.

APPLICABILITY

This Permit to Install is applicable only to the contaminant sources identified. Separate application must be made to the Director for the installation or modification of any other contaminant sources.

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.

PERMIT TO OPERATE APPLICATION

A Permit to Operate application must be submitted to the appropriate field office for each air contaminant source in this Permit to Install. In accordance with OAC Rule 3745-35-02, the application shall be filed no later than thirty days after commencement

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of operation.

SOURCE OPERATION 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 and regulations.

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
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AIR EMISSION SUMMARY

The air contaminant emissions units listed below comprise the Permit to Install for **East Fairfield Coal Company** located in **Mahoning** County. The emissions units listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other state or federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

<u>Ohio EPA Source Number</u>	<u>Source Identification Description</u>	
F002	Aggregate Storage Piles	
		Limestone mining operation
F003	Primary Crusher and Screening	
	F006	
		Secondary Crusher and Screening
F005		
	F006 cont'd	

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
		<u>BAT Determination</u>		<u>Applicable Federal & OAC Rules</u>
	Periodic use of water spray or dust suppressant, maintain low pile height, use of variable Teriary height Crusher stackers	Precautionary operation practices. Minimization of disturbed land surface.	Use of water sprays to minimize fugitive dust. Minimize free fall distances.	3745-31-02 (A) (2) 3745-17-07 (B) (6) 3745-17-08 (B) (6) 3745-31-05 3745-17-08 (B) 40 CAR Part 60, Subpart 000
	Use of water sprays to minimize fugitive dust. Minimize free fall distance.	Use of water sprays to minimize fugitive dust. Minimize free fall distances.		3745-17-07 (B) (1)

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal & OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
3745-31-05		Permit Allowable Mass Emissions and/or Control/Usage Requirements	material loading operations.	opacity, at belt conveyors
3745-17-07 (B) (1)			77.7 TPY PM	Visible emissions shall not exceed 20 percent opacity,
	3745-31-05	No visible emissions except for a period of 13 minutes during any 60 minute period.	Visible emissions shall not exceed 15 percent opacity, at the crusher.	as a three minute average, at any screening operations.
	3745-17-08(B)		Visible emissions shall not exceed 10 percent opacity, at the crusher.	1.7 TPY PM
	40 CFR Part 60, Subpart 000	18.4 TPY PM	Visible emissions shall not exceed 10 percent opacity, at belt conveyors	
3745-31-05		Visible emissions shall not exceed 15 percent opacity, at the crusher.		
3745-17-08(B)	3745-17-07 (B) (1)	visible emissions shall not exceed 10 percent opacity, at belt conveyors	Visible emissions shall not exceed 20 percent opacity, as a three minute average, at the screening operations.	
40 CFR Part 60, Subpart 000		Visible emissions shall not exceed 20 percent opacity, as a three minute average, at the screening operations.	24.8 TPY PM	
		9.0 TPY PM	Visible emissions shall not exceed 15 percent opacity, at the crusher.	
3745-17-07 (B) (1)		Visible emissions shall not exceed 20 percent opacity as a three minute average for material removal operations, and	Visible emissions shall not exceed 10	

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SUMMARY
 TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons/Year</u>
Particulate Matter	131.6 TPY (35.6 TPY increase)

NSPS REQUIREMENTS

The following sources are subject to the applicable provisions of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60.

<u>Source Number</u>	<u>Source Description</u>	<u>NSPS Regulation (Subpart)</u>
F003, F005, & F006	Primary crushing, screening	
	Secondary crushing, screening	000
	Tertiary crushing	000
		000

The application and enforcement of these standards are delegated to the Ohio EPA. The requirements of 40 CFR Part 60 are also federally enforceable.

Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:

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- a. construction date (no later than 30 days after such date);
- b. anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
- c. actual start-up date (within 15 days after such date); and
- d. date of performance testing (If required, at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency
DAPC - Permit Management Unit
P.O. Box 163669
Columbus, OH 43216-3669

and **Ohio EPA Northeast District Office,
2110 E. Aurora Road
Twinsburg, Ohio 44087**

WASTE DISPOSAL

The owner/operator shall comply with any applicable state and federal requirements governing the storage, treatment, transport and disposal of any waste material generated by the operation of the sources.

AIR POLLUTION NUISANCES PROHIBITED

The air contaminant source(s) identified in this permit may not cause a public nuisance in violation of OAC Rule 3745-15-07.

ADDITIONAL SPECIAL TERMS AND CONDITIONS

A. Source Description

1. The emission units covered by this Permit to Install are: Primary Crushing and Screening ; Secondary Crushing and Screening; Tertiary Crushing; Aggregate Storage Piles; and Limestone Mining Operations. All are existing emissions units, and this permit represents a modification to current operating rates for each.

B. Annual emission limitations

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1. The emissions of particulate from these emissions units shall not exceed 131.6 tons per year.

C. Annual production rate limitations

1. The maximum annual production rate for these emissions units all not exceed 1,100,000 tons per year of limestone , based upon a rolling, 12-month summation of the production rates.

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2. To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the production levels specified in the following table:

<u>Month</u>	<u>Maximum Allowable Cumulative Production</u>
1	275,000 tons
1-2	275,000 tons
1-3	275,000 tons
1-4	366,667 tons
1-5	458,333 tons
1-6	550,000 tons
1-7	641,667 tons
1-8	733,333 tons
1-9	825,000 tons
1-10	916,667 tons
1-11	1,008,333 tons
1-12	1,100,000 tons

3. After the first 12 calendar months of operation following the issuance of this permit, compliance with the annual production rate limitation shall be based upon a rolling, 12-month summation of the production rates.

D. Visible Emission Limitations

1. Primary, Secondary and Tertiary Crushing and Screening Operations: There shall be no visible particulate emissions greater than 15 percent opacity(per 40 CFR Part 60, Subpart 000).
2. Belt Conveyors: There shall be no visible particulate emissions greater than 10 percent opacity(per 40 CFR Part 60, Subpart 000).
3. Limestone Mining Operations : Visible particulate emissions from any fugitive dust source shall not exceed 20 percent opacity as a three minute average.
4. Aggregate Storage Piles: There shall be no visible emissions except for 13 minutes in any hour.

E. Additional Terms and Conditions

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1. The following terms and conditions shall apply to all storage piles at this facility.
2. The permittee shall employ reasonably 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 ensure sufficient moisture content in aggregate to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
3. 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.
4. The permittee shall employ reasonably 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 ensure sufficient moisture content in aggregate to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
5. 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

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to ensure compliance with the above-mentioned applicable requirements.

6. 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 3745-17-08.

F. Operational Practice

1. Limestone crushing and screening operations shall control fugitive dust by using water sprays at all reasonable times, and by minimizing free fall distance of material.

2. Limestone mining operations shall control fugitive dust by use of precautionary operating practices, and minimization of disturbed land surface.

G. Monitoring and/or Recordkeeping Requirements

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

a. the production rate for each month; and,

b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling, 12-month summation of the production rates.

Also, during the first 12 calendar months of operation following the issuance of this permit, the permittee shall record the cumulative production rate for each calendar month.

2. 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: all piles to be inspected weekly.

3. 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: all piles to be inspected weekly.

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4. 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: all piles to be inspected weekly.
5. 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 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.
6. 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.
7. The permittee may, upon receipt of written approval from the Ohio EPA Northeast District Office or local air agency, modify the above-mentioned inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
8. 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;

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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).

The information required in h.iv. shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (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.

a. 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, if a strip-chart recorder is employed, for continuous monitoring instrumentation, and copies of all reports required by the permit. Such records may be maintained in computerized form.

H. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports which identify all exceedances of the rolling, 12-month production rate limitation and, for the first 12 calendar months of operation following the issuance of this permit, all exceedances of the maximum allowable cumulative production levels.

2. 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

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b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.

3. 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 Ohio EPA Northeast District Office. 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.)

I. Testing Requirements

1. Compliance with the emission limitation(s) in this permits terms and conditions shall be determined in accordance with the following method(s):

a. Emission Limitation
Opacity limit for visible particulate matter emissions

Applicable Compliance Method:
Compliance shall be determined by visible emission evaluations performed in accordance with OAC Rule 3745-17-03(B) (3) using the methods and procedures specified in U.S.EPA Reference Method 9.

b. Emission Limitation
Visible emissions for storage piles

Applicable Compliance Method:
Compliance shall be determined by visible emission evaluations performed in accordance with OAC Rule

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3745-17-03(B)(4) using the methods and procedures specified
in U.S. EPA Reference Method 22.

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J. Federal Enforceability

1. The following Terms and Conditions have been incorporated into this permit in order to establish federally enforceable limitations on potential to emit pursuant to OAC Rule 3745-35-07: B, C, G, and H.