State of Ohio Environmental Protection Agency

RE: FINAL PERMIT TO INSTALL **CERTIFIED MAIL**
JEFFERSON 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: 06-06651

DATE: 12/13/2001

Enron Global Markets LLC
Timothy Woitowicz
Penn Center West Two Suite 330
Pittsburgh, PA 15276

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
236 East Town Street, Room 300
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo

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

CC: USEPA **SEDO**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

Permit To Install	**Issue Date: 12/13/2001**
Terms and Conditions	**Effective Date: 12/13/2001**

FINAL PERMIT TO INSTALL 06-06651

Application Number:	06-06651
APS Premise Number:	0641150251
Permit Fee:	**$1200**
Name of Facility:	Enron Global Markets LLC
Person to Contact:	Timothy Woitowicz
Address:	Penn Center West Two Suite 330 Pittsburgh, PA 15276

Location of proposed air contaminant source(s) [emissions unit(s)]:
State Route 7
Steubenville, **Ohio**

Description of proposed emissions unit(s):
Synfuel plant.

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

Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements Related to Monitoring and Recordkeeping Requirements

The permittee shall submit required reports in the following manner:

a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.

b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized

representative of the Director, upon receipt of a written request and within a reasonable time, any 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 application must be made to the Director for the installation or modification of any other emissions unit(s).

12. Best Available Technology

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

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

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

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the 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
PM	12.18

Emissions Unit ID: **F001**

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

1. The specific operations(s), property, and/or equipment which constitute this emissions unit are listed in the following table along with the applicable rules and/or requirements and with the applicable emissions limitations and/or control measures. Emissions from this unit shall not exceed the listed limitations, and the listed control measures shall be specified in narrative form following the table.

Operations, Property, and/or Equipment	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
F001 - Unpaved roadways and parking areas	OAC rule 3745-31-05 (A)(3)	1.54 tons PM/yr maximum emissions; No visible particulate emissions except for 3 minutes during any 60-minute period;
	OAC rule 3745-17-07 (B)(5)	Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.b through A.2.g) Less stringent than the above-mentioned visible emission limitation
	OAC rule 3745-17-08 (B), (B)(2)	Less stringent than the above-mentioned control measure requirements

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:

unpaved roadways:

0.25 mi. gravel roadway/parking area

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 with water 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 surfaces. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area 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 a visible emission limitation of no visible particulate emissions except for one minute during any 60-minute period.

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 0.25 mile unpaved gravel roadway/parking area on a daily basis.

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 may, upon receipt of written approval from the appropriate Ohio EPA 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.

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 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 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 4.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

1. Emission Limitation:

   No visible particulate emissions except for 3 minutes during any 60-minute period

Compliance Method:

Compliance with the emission limitation for the unpaved roadways and parking areas 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," as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

2. Emission Limitation:

1.54 tons PM/yr

Compliance Method:

The use of AP-42 section 13.2.2 (September, 1998) emission factor for unpaved roadways shall be utilized to determine compliance, as follows:

$E = [k (S/15) (s/12)^a (W/3)^b / (M/0.2)^c] (365-P/365)$

Where

E = size-specific emission factor (lb/VMT)
s = silt content of road surface material (%) = 9%
W = mean vehicle weight (tons) = 5.03
M = surface material moisture content (%) = 0.2%
a = 0.8 (dimensionless constant)
b = 0.5 (dimensionless constant)
c = 0.4 (dimensionless constant)
k = 10 (dimensionless constant) particle size multiplier
S = 10 mph
p = 145 days

Therefore, E = 4.13 lb PM/VMT

Assume 75% control for roadway watering = (4.13 lb/VMT) (1-0.75) = 1.03 lb/VMT

Permittee will travel a maximum of 2974.5 VMT/yr

Allowable annual PM emissions = (2974.5 VMT/yr) (1.03 lb PM/VMT) = 3063.7 lb PM/yr

E = 1.54 tons PM/yr

F. Miscellaneous Requirements

None

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	Applicable Emissions Limitations/Control Measures
F002 - Material Handling	OAC rule 3745-31-05(A)(3)	10.64 tons PM/yr maximum emissions; 20 per cent opacity as a three-minute average maximum emissions; Best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.b through A.2.e)
	OAC rule 3745-17-07 (B)(1)	Less stringent than, or equally stringent to, the above-mentioned visible emission limitation;
	OAC rule 3745-17-08 (B)	Less stringent than, or equally stringent to, the above-mentioned control measure requirements

2. Additional Terms and Conditions

2.a The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are listed below:

14 conveyor transfer points (including briquetter transfer-out and mixer transfer-out)
1 feeder (including load-in)

3 briquetters (including load-in)
3 mixers (including load-in)

2.b The permittee shall employ best available control measures for the above-identified material handling operation(s) for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee shall utilize the following control measure(s) to ensure compliance:

material handling operation(s)	control measure(s)
20 conveyor transfer points 1 feeder 3 mixers 3 briquetters	maintenance of full and partial enclosures over all conveyors and transfer points (see testing requirements E.2, below, for specific primary control measures); coal moisture content to prevent fugitive emissions (use of water spray or foam system to prevent fugitive dust emissions as an additional control measure)

Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

2.c For each material handling operation that is not adequately enclosed, the above-identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.

2.d The permittee shall have available, at all times, the capability to apply water or foam (or other suitable dust control) to the material being handled in such a manner as to effectively control the emissions of fugitive dust form all conveyors and transfer points.

2.e Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08 and 3745-31-05.

B. Operational Restrictions

None

C. Monitoring and/or Recordkeeping Requirements

1. Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

material handling operation(s)	minimum inspection frequency
All	daily

2. The above-mentioned inspections shall be performed during representative, normal operating conditions.

3. The permittee may, upon receipt of written approval from the appropriate Ohio EPA 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.

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

   a. the date and reason any required inspection was not performed;

   b. the date of each inspection where it was determined by the permittee that it was necessary to implement the additional control measure(s) or where any problems were noted with any full or partial enclosure;

   c. the dates the additional control measure(s) was (were) implemented;

   d. on a calendar quarter basis, the total number of days the additional control measure(s) was (were) implemented;

   e. a description of measures taken to repair or replace any damaged or otherwise malfunctioning full or partial enclosures, including the date repairs were made;

   f. any day that inspections indicate that additional control measures are not available for use

   The information in 4.d shall be kept separately for each material handling operation identified above, 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 deviation reports that identify any of the following occurrences:

   a. each day during which an inspection was not performed by the required frequency;

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

   c. each day that material handling was performed with damaged or missing full or partial enclosure(s); and

   d. each day that inspections show unavailable additional control measures in violation of A.2.d, above.

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 visible emission limitation of 20 per cent opacity as a three-minute average for the material handling operations identified above shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources," as such Appendix existed on July 1, 1996, and the modifications listed in paragraph (B)(3) of OAC rule 3745-17-03.

2. Emission Limitation:

   10.64 tons PM/yr

   Compliance Method:

   The AP-42 Section 13.2.4 (Aggregate Handling and Storage Piles, January, 1995) equation for material handling operations shall be utilized as follows:

   $E = (k)\ (0.0032)\ (U/5)^{1.3} / (M/2)^{1.4}$ lb/ton

   where

   E = emission factor (lb/ton)
   U = mean wind speed (mph) = 9.5 mph
   M = material moisture content (%) = 6%
   k = particle size multiplier (dimensionless) = 0.74

   $E = (0.74)\ (0.0032)\ (9.5/5)^{1.3} / (6/2)^{1.4} = 0.0012$ lb/ton

Apply control 80% control efficiency for full enclosures and 50% for partial enclosures:

Material handling operation	Max. throughput	Control Measure	Control efficiency
TP -17 (feeder and load-in)	4.8E6 tpy	Coal moisture content 0%	
TP-4 (mixer 1 and load-in)	1.6E6 tpy	Full enclosure	80%
TP-8 (mixer 2 and load-in)	1.6E6 tpy	Full enclosure	80%
TP-12 (mixer 3 and load-in)	1.6E6 tpy	Full enclosure	80%
TP-6 (briquetter 1 and load-in)	1.6E6 tpy	Full enclosure	80%
TP-10 (briquetter 2 and load-in)	1.6E6 tpy	Full enclosure	80%
TP-14 (briquetter 3 and load-in)	1.6E6 tpy	Full enclosure	80%
TP-18, TP-1, TP-2	4.8E6 tpy each	Partial enclosure	50%
TP-3, TP-16	4.8E6 tpy each	Full enclosure	80%
TP-5, TP-7, TP-9, TP-11, TP-13, TP-15	1.6E6 tpy each	Full enclosure	50%

In applying the above throughput in conjunction with the applicable control measure, the following equation determines compliance:

(4.8E6 tons)(0.0012 lb PM/ton)(1 ton/2000 lb) + (3) (4.8E6 tons)(0.0012 lb/ton)(1 ton/2000 lb)(1 - 0.50) + (2)(4.8E6 tons)(0.0012 lb/ton)(1 ton/2000 lb)(1 - 0.80) + (12)(1.6E6 tons)(0.0012 lb/ton)(1 ton/2000 lb)(1 - 0.80) = 10.64 tons PM/yr

F. Miscellaneous Requirements

None