State of Ohio Environmental Protection Agency

RE: FINAL PERMIT TO INSTALL MODIFICATION **CERTIFIED MAIL**
MORGAN 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: 06-06479
Fac ID: 0658000001
DATE: 1/11/2005

Mar Zane Plant No 5
Ronald Morrison
PO Box 1585
Zanesville, OH 43701

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 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: 1/11/2005**
Terms and Conditions **Effective Date: 1/11/2005**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 06-06479

Application Number:	06-06479
Facility ID:	0658000001
Permit Fee:	**$250**
Name of Facility:	Mar Zane Plant No 5
Person to Contact:	Ronald Morrison
Address:	PO Box 1585 Zanesville, OH 43701

Location of proposed air contaminant source(s) [emissions unit(s)]:
State Route 266
Stockport, **Ohio**

Description of proposed emissions unit(s):
Administrative modification of PTI 06-06479, last modified 5/6/03, to increase allowable baghouse pressure drop range for emissions unit P901.

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification does not constitute expressed or implied approval or agreement that, if constructed or modified in accordance with the plans included in the application, the above described source(s) of environmental pollutants will operate in compliance with applicable State and Federal laws and regulations, and does not constitute expressed or implied assurance that if constructed or modified in accordance with those plans included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Joseph P. Koncelik

Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

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

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

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

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

3. Records Retention Requirements

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

4. Inspections and Information Requests

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

representative of the Director, upon receipt of a written request and within a reasonable time, any information that may be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions

and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. Best Available Technology

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

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

This facility is permitted to operate each source described by this Permit to Install for a period of

up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

Pollutant	Tons Per Year
PM	6.42
VOC	5.69
NOx	9.00
SO_2	6.60
CO	30.00

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
P901 - 100 Ton Per Hour Asphalt Batch Plant	OAC rule 3745-31-05(A)(3)
	OAC rule 3745-17-07(A)
Administrative modification of PTI 06-06479, last modified 6/24/03, to increase allowable pressure drop range.	OAC rule 3745-18-06
	OAC rule 3745-31-05(C)
	40 CFR Part 60, Subpart I

Applicable Emissions Limitations/Control Measures	
0.04 grain PM/dscf 40.0 lb/hr of carbon monoxide (CO) 8.8 lb/hr of SO2 12.0 lb/hr of nitrogen oxides (NOx) 7.58 lb/hr of volatile organic compounds (VOC)	3745-31-05(A)(3).
No visible emissions of fugitive dust from the enclosures for the hot aggregate elevator, vibrating screens, and weigh hopper	
The requirements of this rule also include compliance with the requirements of 40 CFR Part 60 Subpart I and OAC rule 3745-31-05(C)	
6.42 TPY PM 30.00 TPY CO 9.00 TPY NO_x 6.60 TPY SO_2 5.69 TPY VOC	
0.04 grain PM/dscf	
The emissions unit shall not discharge into the atmosphere any stack gases which exhibit 20 percent opacity or greater.	
The emissions limitation established by this rule is less stringent than those established by 40 CFR Part 60, Subpart I.	
The emissions limitation established by this rule is less stringent than those established by OAC	

2. Additional Terms and Conditions

2.a Compliance with OAC rule 3745-31-05(A)(3) shall include the use of a fabric filter.

2.b The application and enforcement of the provisions of the New Source Performance Standards (NSPS), as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, are delegated to the Ohio Environmental Protection Agency. The requirements of 40 CFR Part 60 are also federally enforceable.

B. Operational Restrictions

1. To ensure the baghouse is operated according to the manufacturer's specifications and to maintain compliance with the allowable particulate emission rate, the pressure drop across the baghouse shall be maintained within the range of 1.0 - 7.0 inches of water while the emissions unit is in operation.

2. The maximum annual asphalt production rate for emissions unit P901 shall not exceed 150,000 tons per year based upon a rolling, 12-month summation of the production rates. To ensure enforceability during the first 12 calendar months of operation following the startup of the modified emissions unit P901, the permittee shall not exceed the production levels specified in the following table:

Month(s)	Maximum Allowable Cumulative Production (Tons)
1	50,000
1-2	100,000
1-3	125,000
1-4	150,000
1-5	150,000
1-6	150,000
1-7	150,000
1-8	150,000
1-9	150,000
1-10	150,000
1-11	150,000
1-12	150,000

After the first 12 calendar months of operation following the startup of the modified emissions unit P901, compliance with the annual production rate limitation shall be based upon a rolling,

12-month summation of the production rates.

3. All recycled, used oil burned in emissions unit P901 shall meet the following specifications:

Contaminant/Property	Allowable Specifications
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum
lead	100 ppm, maximum
PCB's	50 ppm, maximum*
total halogens	4000 ppm maximum**
mercury	1 ppm, maximum
flash point	100ºF, minimum
heat content	135,000 Btu/gallon, minimum

* If the permittee is burning used oil with any quantifiable level ≥2 ppm < 50 ppm of PCB's, then the permittee is subject to any applicable requirements found under 40 CFR part 279, subparts G and H and 40 CFR 761.20 (e).

** Used oil containing more than 1000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR 279.10 (b)(1)*(ii)* and OAC rule 3745-279-10 (B)(1)(b). Therefore, the permittee may receive and burn used oil exceeding 1000 ppm of total halogens (but less than 4000 ppm, maximum) only if the used oil burner can demonstrated the used oil does not contain any hazardous waste pursuant to OAC rule 3745-279-63**.**

4. The burning of hazardous waste is prohibited without first complying with all applicable state and federal hazardous waste and air regulations and permits.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the baghouse while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated, operated, and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across the baghouse on a once per shift basis.

2. The permittee shall receive a chemical analysis with each shipment of used oil from the supplier. The analysis shall identify the name and address of the supplier, the supplier's USEPA

identification number, and the following information:

a. The date of shipment or delivery.
b. The quantity of used oil received.
c. The Btu value of the used oil, in BTU/gallon.
d. The flash point of the used oil in degrees F.
e. The arsenic content, in ppm.
f. The cadmium content, in ppm.
g. The chromium content, in ppm.
h. The lead content, in ppm.
i. The PCB content, in ppm.
j. The total halogen content, in ppm.
k. The mercury content, in ppm.

Each analysis shall be kept in a readily accessible location for at least 5 years and shall be made available to the Director (the appropriate Ohio EPA District Office or local air agency) upon verbal or written request. The Director or any authorized representative of the Director may require or may conduct periodic, detailed chemical analyses through an independent laboratory of any used oil shipment received by this facility, of any used oil stored at this facility, or of any used oil sampled at the dryer.

3. The permittee shall maintain monthly records of the following information for emissions unit P901:

a. The monthly asphalt production, in tons.

b. For the first 12 calender months following the startup of the modified emissions unit P901, the cumulative asphalt production calculated by adding the current month's asphalt production to the asphalt production for each calender month since the startup of the modified emissions unit P901.

c. Beginning after the first 12 calender months following the startup of the modified emissions unit P901, the rolling, 12-month summation of asphalt production calculated by adding the current month's asphalt production to the asphalt production for the preceding eleven calender months.

D. Reporting Requirements

1. The permittee shall submit deviation (excursion) reports which identify all periods of time during which the pressure drop across the baghouse did not comply with the allowable range specified in Term B.1.

2. The permittee shall submit deviation (excursion) reports that 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.

3. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

4. The permittee shall notify the USEPA and the Ohio EPA if any of the used oil exceeds the used oil specifications found in OAC rule 3745-279-11 and the applicable portions of 40 CFR part 761 and shall also notify Ohio EPA if any used oil exceed the mercury limitation and falls below the heat content limitation listed in term B.3 within thirty days after the exceedance occurs. If the permittee is burning used oil which exceeds the specifications found in OAC rule 3745-279-11 and the applicable portions 40 CFR part 761, the permittee is subject to that rule and must comply with all applicable provisions of that rule(s).

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

   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, Ohio 43216-3669

   and

   Southeast District Office of the Ohio EPA
   Division of Air Pollution Control
   2195 Front Street
   Logan, Ohio 43138

E. Testing Requirements

Emissions Unit ID: **P901**

1. Compliance with the emission limitation(s) in Section A.I. of these terms and conditions shall be determined in accordance with the following method(s):

   a. Emission Limitation:

      0.04 gr/dscf of particulates

      Applicable Emission Limitation

      Compliance shall be determined in accordance with Test Methods 1-5 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)(3)(a) and (B)(3)(b) of OAC rule 3745-17-03.

   b. Emission Limitation

      6.42 TPY of particulates

      Applicable Emission Limitation

      Compliance shall be determined based upon the following equation:

      E = EF * AAPR * 0.0005 ton/lb = TPY of particulates

      Where

      EF is the emission factor from AP-42 chapter 11 table 1-1 (12/00) in lb/ton, and
      AAPR is the actual annual production rate in tons, during the previous 12 month period

   c. Emission Limitation

      40.0 lb/hr of carbon monoxide (CO)

      Applicable Compliance Method

      Compliance shall be determined based upon the following equation:

      E = EF * 150 ton/hr = lb/hr of CO

      Where

      EF is the emission factor from AP-42 chapter 11 table 1-5 (12/00) in lb/ton

   d. Emission Limitation

30.0 TPY of CO

Applicable Compliance Method

Compliance shall be determined based upon the following equation:

E = EF * AAPR = TPY of CO

Where

EF is the emission factor from AP-42 chapter 11 table 1-5 (12/00) in lb/ton, and
AAPR is the actual annual production rate in tons , during the previous 12 month period

e. Emission Limitation

8.8 lb/hr of SO2

Applicable Compliance Method

Compliance shall be determined based upon the following equation:

E = EF * 150 ton/hr = lb/hr of SO2

Where

EF is the emission factor from AP-42 chapter 11 table 1-5 (12/00) in lb/ton

f. Emission Limitation

6.6 TPY of SO2

Applicable Compliance Method

Compliance shall be determined based upon the following equation:

E = EF * AAPR = TPY of SO2

Where

EF is the emission factor from AP-42 chapter 11 table 1-5 (12/00) in lb/ton, and
AAPR is the actual annual production rate in tons , during the previous 12 month period

g. Emission Limitation

Used Oil Specifications

Applicable Compliance Method

Compliance will be demonstrated by the record keeping in Term C.2.

h. Emission Limitation

150,000 Tons of asphalt per rolling 12 month period

Applicable Compliance Method

Compliance shall be demonstrated by the record keeping in Term C.3.

i. Emission Limitation

20% opacity

Applicable Compliance Method

Compliance 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 paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

j. Emission Limitation

12.0 lb/hr of nitrogen oxides (NOx)

Applicable Compliance Method

Compliance shall be determined based upon the following equation:

E = EF * 150 tons/hr = lb/hr of NOx

Where

EF is the emission factor from AP-42 chapter 11 table 1-5 (12/00) in lb/ton

k. Emission Limitation

9.0 TPY of NOx

Applicable Compliance Method

Compliance shall be determined based upon the following equation:

E = EF * AAPR = TPY of NOx

Where

EF is the emission factor from AP-42 chapter 11 table 1-5 (12/00) in lb/ton, and
AAPR is the actual annual production rate in tons , during the previous 12 month period

l. Emission Limitation

7.58 lb/hr of volatile organic compounds (VOC)

Applicable Compliance Method

Compliance shall be determined in accordance with Test Method 25 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.

m. Emission Limitation

5.69 TPY of VOC's

Applicable Emission Limitation

Compliance shall be determined based upon the following equation:

E = EF * AAPR * 0.0005 ton/lb = TPY of VOC's

Where

EF is the emission factor, in lb/ton, as determined by the most recent stack test, and
AAPR is the actual annual production rate during the previous 12 month period.

F. Miscellaneous Requirements

1. Modeling to demonstrate compliance with the Ohio EPA's "Air Toxic Policy" was not necessary

because the emissions unit's maximum annual emissions for each toxic compound will be less than 1.0 ton. OAC Chapter 3745-31 requires permittees to apply for and obtain a new or modified permit to install prior to making a "modification" as defined by OAC rule 3745-31-01. The permittee is hereby advised that changes in the composition of the materials, or use of new materials, that would cause the emissions of any pollutant that has a listed TLV to increase to above 1.0 ton per year may require the permittee to apply for and obtain a new permit to install.