



State of Ohio Environmental Protection Agency

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

**CERTIFIED MAIL**

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: 07-00489**

**DATE: 7/13/00**

Tow Path Ready Mix  
Pete Keller  
12360 St Rt 104  
Lucasville, OH 456488201

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, Manager  
Field Operations and Permit Section  
Division of Air Pollution Control

CC: USEPA

PCHD



**Permit To Install**

STATE OF OHIO ENVIRONMENTAL PROTECTION AGENCY

**FINAL PERMIT TO INSTALL 07-00489**

Application Number: 07-00489  
APS Premise Number: 0773000144  
Permit Fee: **\$2400**  
Name of Facility: Tow Path Ready Mix  
Person to Contact: Pete Keller  
Address: 12360 St Rt 104  
Lucasville, OH 456488201

Location of proposed air contaminant source(s) [emissions unit(s)]:  
**12360 St Rt 104**  
**Lucasville, Ohio**

Description of proposed emissions unit(s):  
**Sand, Gravel, & Top Soil Screening with Storage Piles.**

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

**Tow Path Ready Mix**  
**PTI Application: 07-00489**  
**Issued: 7/13/00**

**Facility ID: 0773000144**

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

**Tow Path Ready Mix**  
**PTI Application: 07-00489**  
**Issued: 7/13/00**

**Facility ID: 0773000144**

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 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 prove to be inadequate 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.

**Tow Path Ready Mix**  
**PTI Application: 07-00489**  
**Issued: 7/13/00**

**Facility ID: 0773000144**

#### **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>
particulate	17.4

**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.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
F003 - Sand, Gravel, & Top Soil Storage Piles - Modification to add new piles  load-in and load-out of storage piles (see Section A.2.a for identification of storage piles)  wind erosion from storage piles (see Section A.2.a for identification of storage piles)	OAC rule 3745-31-05(A)(3)	7.9 tpy of fugitive particulate emissions  no visible emissions except for one minute in any hour  best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.b, A.2.c and A.2.f)  no visible emissions except for one minute in any hour  best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.d through A.2.f)

**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:

- #304 limestone - ready mix
- #57 limestone - ready mix
- #8 limestone - ready mix
- #8 gravel - ready mix
- #57 gravel - ready mix
- bank run sand & gravel - screening

Concrete sand - screening  
#57 gravel - screening  
#8 gravel - screening  
topsoil - screening  
oversized gravel - screening

- 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 watering and maintaining a low pile height 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 watering and maintaining a low pile height 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.

## **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:

storage pile identification	minimum load-in inspection frequency
#304 limestone - ready mix	Daily
#57 limestone - ready mix	Daily
#8 limestone - ready mix	Daily
#8 gravel - ready mix	Daily
#57 gravel - ready mix	Daily
bank run sand & gravel - screening	Daily
concrete sand - screening	Daily
#57 gravel - screening	Daily
#8 gravel - screening	Daily
topsoil - screening	Daily
oversized gravel - screening	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:

storage pile identification	minimum load-out inspection frequency
#304 limestone - ready mix	Daily
#57 limestone - ready mix	Daily
#8 limestone - ready mix	Daily
#8 gravel - ready mix	Daily
#57 gravel - ready mix	Daily
bank run sand & gravel - screening	Daily
concrete sand - screening	Daily
#57 gravel - screening	Daily
#8 gravel - screening	Daily
topsoil - screening	Daily
oversized gravel - screening	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:

storage pile identification	minimum wind erosion inspection frequency
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10

**Tow P**

**PTI A**

**Issued: 7/13/00**

Emissions Unit ID: **F003**

#304 limestone - ready mix	Daily
#57 limestone - ready mix	Daily
#8 limestone - ready mix	Daily
#8 gravel - ready mix	Daily
#57 gravel - ready mix	Daily
bank run sand & gravel - screening	Daily

**Tow P****PTI A****Issued: 7/13/00**Emissions Unit ID: **F003**

concrete sand - screening	Daily
#57 gravel - screening	Daily
#8 gravel - screening	Daily
topsoil - screening	Daily
oversized gravel - screening	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 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 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.
7. 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).

The information required in 7.d. 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

12

**Tow P**

**PTI A**

**Issued: 7/13/00**

Emissions Unit ID: **F003**

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. 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"), as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.
2. 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:  
  
7.9 tpy  
  
Applicable Compliance Method:  
  
Compliance shall be demonstrated by calculating the sum of i, ii and iii below:
    - i. Load-In: multiply the material stored, in tons/year, times the 0.00189 pound/ton emission factor (AP-42 Section 13.2.4 Equation 1 dated 1/95) divided by 2,000 pounds/ton;
    - i. Wind Erosion: multiply the acres of storage piles times the 3.5 pound/acre/day emission factor (AP-42 Table 11.12-2, dated 1/95) times 365 days/year divided by 2,000 pounds/ton; and
    - i. Load-Out: multiply the material stored, in tons/year, times the 0.00189 pound/ton emission factor (AP-42 Section 13.2.4 Equation 1 dated 1/95) divided by 2,000 pounds/ton;

14

**Tow P**

**PTI A**

**Issued: 7/13/00**

Emissions Unit ID: **F003**

**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.

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
F005 - Portable Screening Operation for Sand, Gravel, & Top Soil	OAC rule 3745-31-05(A)(3)	6.3 lbs/hr and 9.5 tpy of particulate emissions  3.0 lbs/hr and 4.5 tpy of particulate emissions less than 10 microns  See A.2.a through A.2.d below.

**2. Additional Terms and Conditions**

- 2.a Visible particulate emissions of fugitive dust shall not exceed 15% opacity as a 6-minute average.
- 2.b The permittee shall employ best available control measures for the screening operation 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 watering the material prior to the screening operation when the inherent moisture content of the material is not sufficient to minimize or eliminate visible emissions of fugitive dust. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.c The above-identified control measure 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 is necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure shall continue during the operation of the screening operation until further observation confirms

that use of the control measure is unnecessary.

- 2.d** Implementation of the above-mentioned control measure in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

**B. Operational Restrictions**

1. The maximum annual production rate for the screening operation shall not exceed 600,000 tons.

**C. Monitoring and/or Recordkeeping Requirements**

1. The permittee shall maintain monthly records of the tons of materials produced.
2. The permittee shall perform inspections of the screening operation on a daily basis. The inspections shall be performed during representative, normal operating conditions.
3. The permittee shall maintain daily 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 control measure;
  - c. the dates the control measure was implemented; and,
  - d. on a calendar quarter basis, the total number of days the control measure was implemented.

**D. Reporting Requirements**

1. The permittee shall submit annual reports that identify any exceedances of the annual production rate limitation, as well as the corrective actions that were taken to achieve compliance. These reports shall be submitted by January 31 of each year.
2. The permittee shall submit deviation (excursion) reports that identify any of the following occurrences:
  - a. each day during which an inspection was not performed by the required frequency; and,

- b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.
3. The deviation (excursion) reports shall be submitted in accordance with Part 1 - General Terms and Conditions of this permit under section (A)(1).

#### **E. Testing Requirements**

1. Compliance with the emission limitations in Section A.1 of these terms and conditions shall be determined in accordance with the following methods:
  - a. Emission Limitation:  
  
15% opacity as a 6-minute average  
  
Applicable Compliance Method:  
  
If required, compliance shall be demonstrated in accordance with the requirements specified in Method 9, 40 CFR 60, Appendix A
  - b. Emission Limitation:  
  
6.3 lbs/hr of particulate emissions  
  
Applicable Compliance Method:  
  
Compliance shall be demonstrated by multiplying the maximum production rate in tons per hour times the emission factor of 0.0315 pounds per ton (AP-42 Table 11.19.2-2, dated 1/95; PM<sub>10</sub> emission factor times 2.1).
  - c. Emission Limitation:  
  
9.5 tpy of particulate emissions  
  
Applicable Compliance Method:  
  
Compliance shall be demonstrated by multiplying the maximum annual production rate in tons per year times the emission factor of 0.0315 pounds per ton (AP-42 Table 11.19.2-2 dated, 1/95; PM<sub>10</sub> emission factor times 2.1) divided by 2,000 pounds per ton.

- d. Emission Limitation:
- 3.0 lbs/hr of particulate emissions less than 10 microns
- Applicable Compliance Method:
- Compliance shall be demonstrated by multiplying the maximum production rate in tons per hour times the emission factor of 0.015 pounds per ton (AP-42 Table 11.19.2-2, dated 1/95).
- e. Emission Limitation:
- 4.5 tpy of particulate emissions less than 10 microns
- Applicable Compliance Method:
- Compliance shall be demonstrated by multiplying the maximum annual production rate in tons per year times the emission factor of 0.015 pounds per ton (AP-42 Table 11.19.2-2, dated 1/95) divided by 2,000 pounds per ton.

## **F. Miscellaneous Requirements**

1. Notice to Relocate a Portable or Mobile Source
- a. Pursuant to Ohio Administrative Code (OAC) rule 3745-31-03(A)(1)(p)(i), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a PTI providing the following criteria are met:
- i. the portable emissions unit is equipped with the best available control technology for such portable emissions unit;
  - ii. the portable emissions unit is operating pursuant to a currently effective permit to operate (PTO);
  - iii. the applicant has provided proper notice of intent to relocate the portable emissions unit to the Portsmouth Local Air Agency within a minimum of thirty days prior to the scheduled relocation; and,
  - iv. in the Portsmouth Local Air Agency's judgement, the proposed site is acceptable under the rule 3745-15-07 of the Administrative Code.

**Tow Path Ready Mix**  
**PTI Application: 07-00480**  
**Issued**

**Facility ID: 0773000144**

**Emissions Unit ID: F005**

- b. In the alternative, pursuant to OAC rule 3745-31-03(A)(1)(p)(i), the permittee of a portable or mobile emissions unit may relocate within the State of Ohio without first obtaining a PTI providing the following criteria of OAC rule 3745-31-05(F) are met:
- i. the portable emissions unit permittee possesses an Ohio EPA PTI, PTO or registration status;
  - ii. the portable emissions unit is equipped with best available technology;
  - iii. the portable emissions unit owner has identified the proposed site to Ohio EPA;
  - iv. Ohio EPA has determined that the portable emissions unit, at the proposed site, will have an acceptable environmental impact;
  - v. a public notice, consistent with Chapter 3745-47 of the Administrative Code, is published in the county where the proposed site is located;
  - vi. the owner of the proposed site has provided the portable emissions unit owner with approval or equivalent declaration that it is acceptable to the site owner to move the portable emissions unit to this proposed site; and
  - vii. the portable emissions unit owner has provided Ohio EPA with fifteen days written notice of the relocation.
2. Any site approvals issued by the Ohio EPA shall be valid for no longer than three years and are subject to renewal.

In order for the Portsmouth Local Air Agency to determine compliance with all of the above criteria, the permittee of the portable or mobile emissions unit must file a "Notice of Intent to Relocate", within the specified time frame (30 or 15 days) prior to the relocation of the emissions unit with the Portsmouth Local Air Agency, 740 Second Street, Portsmouth, OH 45662. Upon receipt of the notice, the Portsmouth Local Air Agency, or the Portsmouth Local Air Agency's authorized representative, 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 emissions unit may result in fines and civil penalties.