

Facility ID: 0627010066 Issuance type: Final State Permit To Operate

This version of facility specific terms and conditions was converted from a database format to an HTML file during an upgrade of the Ohio EPA, Division of Air Pollution Control's permitting software. Every attempt has been made to convert the terms and conditions to look and substantively conform to the permit issued or being drafted in STARS. However, the format of the terms may vary slightly from the original. In addition, although it is not expected, there is a slight possibility that a term and condition may have been inadvertently "left out" of this reproduction during the conversion process. Therefore, if this version is to be used as a starting point in drafting a new version of a permit, it is imperative that the entire set of terms and conditions be reviewed to ensure they substantively mimic the issued permit. The official version of any permit issued final by Ohio EPA is kept in the Agency's Legal section. The Legal section may be contacted at (614) 644-3037.

In addition to the terms and conditions, hyperlinks have been inserted into the document so you may more readily access the section of the document you wish to review.

Finally, the term language under "Part II" and before "A. Applicable Emissions Limitations..." has been added to aid in document conversion, and was not part of the original issued permit.

\*\*\*THIS IS NOT AN OFFICIAL VERSION OF THE PERMIT. SEE PAGE 1 FOR ADDITIONAL INFORMATION\*\*\*

Facility ID: 0627010066 Emissions Unit ID: F001 Issuance type: Final State Permit To Operate

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**Part II - Special Terms and Conditions**

This permit document constitutes a permit-to-install issued in accordance with ORC 3704.03(F) and a permit-to-operate issued in accordance with ORC 3704.03(G).

1. For the purpose of a permit-to-install document, the emissions unit terms and conditions identified below are federally enforceable with the exception of those listed below which are enforceable under state law only.
  - (a) None.
2. For the purpose of a permit-to-operate document, the emissions unit terms and conditions identified below are enforceable under state law only with the exception of those listed below which are federally enforceable.
  - (a) None.

**A. Applicable Emissions Limitations and/or Control Requirements**

1. The specific operation(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 employed. Additional applicable emissions limitations and/or control measures (if any) may 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>
Paved Plant Roadways and Parking Areas	OAC rule 3745-31-05(A)(3) PTI # 06-3913 issued 6/14/00	5 percent opacity; best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. See sections A.2.a - A.2.i.
Unpaved Plant Roadways and Parking Areas	OAC rule 3745-31-05(A)(3) PTI # 06-3913 issued 6/14/00	5 percent opacity; best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust. See sections A.2.a - A.2.i.
		6.63 tons per year of particulate emissions

**2. Additional Terms and Conditions**

- (a) The paved roadways that are covered by this permit and subject to the requirements of this permit are listed below:
 

Paved roadways

Entrance road from State Route 7 to Scalehouse  
Exit road from wheelwash to State Route 7

The unpaved roadways and parking areas that are covered by this permit and subject to the requirements of this permit are listed below:

Unpaved roadways

Scalehouse to wheelwash road

Unpaved parking areas

Scalehouse parking area  
Loading facility parking area

In accordance with paragraph A.2.f., the permittee shall employ best available control measures on all paved 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 paved roadways and parking areas by maintaining the pavement on the entrance and exit roads, enforcing a 5 mile per hour speed limit, employing a wheelwash station with stutter bumps, using a sweeper truck, and utilizing one-way roadways. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

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, use of a street sweeper, or other means.

In accordance with paragraph A.2.f., 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 sprays and put down fresh aggregate at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

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, which inspections must only be performed when the facility is in operation. Implementation of the control measures shall not be necessary for a paved or 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 conditions make implementing the controls impossible or if unsafe or hazardous conditions would be created by its use. 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 with the control measures specified above 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 the visible emission limitation for paved roadways and parking areas. 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. 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**

1. None

**C. Monitoring and/or Record Keeping Requirements**

1. Except as otherwise provided in this section, the permittee shall perform inspections of the roadways and parking areas in accordance with the following frequencies:
  - paved roadways and parking areas minimum inspection frequency
  - All Paved Roadways and Parking Areas daily when facility is in operation
  - unpaved roadways and parking areas minimum inspection frequency
  - All Unpaved Roadways and Parking Areas daily when facility is in operation
2. The purpose of the inspections for roadways and parking areas 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 Ohio EPA, Southeast District Office, 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 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;
  - d. if control measures are suspended pursuant to paragraph A.2.f. because of impossible, unsafe or hazardous conditions, documentation of those conditions; and,
  - e. 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 in 4.e. shall be kept separately for (i) the paved roadways and parking areas, and (ii) the unpaved roadways and parking areas 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, excluding an inspection for roadways and parking areas 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 below.
  - a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the Ohio EPA, Southeast District Office.
  - 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 Ohio EPA, Southeast

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.)

3. The permittee shall submit a written report that describes the results of the audits required by section E.2., including copies of the visible emissions readings, to Ohio EPA, Southeast District Office within thirty days after each audit is conducted.

**E. Testing Requirements**

1. Compliance with the visible emission limitations identified above shall be determined in accordance with the following methods:  
Emission Limitation

5 percent opacity for paved and unpaved roadways and parking areas

Applicable Compliance Method

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)(3)(d)(i) and (B)(3)(d)(ii) of OAC rule 3745-17-03.  
Emission Limitations

6.63 tons per year of particulate emissions

Applicable Compliance Method

Compliance with the 6.63 tons per year limit shall be determined based upon emission calculations using AP-42 emissions factors in Sections 13.2.1 for paved roadways and 13.2.2 for unpaved roadways.

2. In the Consent Decree entered in State of Ohio vs. Sands Hill Coal Company, Inc. on April 1, 1999, the permittee agreed to perform the following supplemental environmental project:

For the next five years, the permittee is hereby required to perform four compliance audits per year, once per calendar quarter, except that if any audit documents a violation of the permit limits, the permittee shall conduct another audit during the same calendar quarter. If the permittee does not operate for any entire calendar quarter, it does not need to perform the audit that quarter. Each audit must review and report on the permittee's compliance with any permits issued to the permittee for this facility. In addition, the contractor or auditor must be certified to perform visible emission readings, and shall take the following readings during each audit:

a. for unpaved roadways, three 1-hour sets of visible emissions readings using U.S. EPA Method 22 readings at three different locations (three hours total);

b. for paved roadways, two 1-hour sets of visible emission readings using U.S. EPA Method 22 readings at two different locations (two hours total).

**F. Miscellaneous Requirements**

1. None