



State of Ohio Environmental Protection Agency

**RE: FINAL PERMIT TO INSTALL
CLARK 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: 08-04525

DATE: 11/20/2003

Hilltop Basic Resources Inc-Enon Ag
Richard Martin
One W Fourth St Ste 1100
Cincinnati, OH 45242-3604

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
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Sincerely,

Michael W. Ahern, Supervisor
Field Operations and Permit Section
Division of Air Pollution Control

cc: USEPA

RAPCA



**Permit To Install
Terms and Conditions**

**Issue Date: 11/20/2003
Effective Date: 11/20/2003**

FINAL PERMIT TO INSTALL 08-04525

Application Number: 08-04525
APS Premise Number: 0812030515
Permit Fee: **\$5800**
Name of Facility: Hilltop Basic Resources Inc-Enon Ag
Person to Contact: Richard Martin
Address: One W Fourth St Ste 1100
Cincinnati, OH 45242-3604

Location of proposed air contaminant source(s) [emissions unit(s)]:
**1665 Enon Rd
Enon, Ohio**

Description of proposed emissions unit(s):
Roadways; mineral extraction; 1 feed hopper; 4 conveyors.

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

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.

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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 emissions	22.0

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>
F008 - Mineral Extraction (East side of Enon Rd.)	OAC rule 3745-31-05(A)(3)	<p>The particulate emissions shall not exceed 16.7tons/year.</p> <p>The permittee shall employ reasonable available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust.</p> <p>The visible particulate emissions shall not exceed 20% opacity as a 3-minute average (as recorded during any sixty-minute period).</p>

2. Additional Terms and Conditions

2.a The annual emission limitation was established to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop record keeping and/or reporting requirements to ensure compliance with these limits.

2.b The mineral extraction activities that are covered by this permit and subject to the above-mentioned requirements are listed below:

overburden removal on the East side of Enon Rd.
 overburden reclamation on the East side of Enon Rd.

2.c The permittee shall employ best available control measures during overburden removal and reclamation for the purpose of ensuring compliance with the above mentioned applicable requirements. Compliance with OAC rule 3745-31-05(A)(3) shall be demonstrated by applying water at sufficient frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

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Emissions Unit ID: **F008**

- 2.d** The above-mentioned control measure(s) shall be employed during overburden removal and reclamation if the permittee determines, as a result of the visible emissions (VE) 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.e** 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 visible emission inspections of each mineral extraction operation in accordance with the following frequencies:

<u>mineral extraction identification</u>	<u>minimum inspection frequency</u>
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Overburden removal and reclamation	Daily
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2. No VE inspection shall be necessary if any precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required VE 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 purpose of the VE inspections is to determine the need for implementing the control measures specified in this permit for mineral extraction activities. The inspections shall be performed during representative, normal operating conditions.
4. The permittee may, upon receipt of written approval from the appropriate Ohio EPA District Office or local air agency, modify the above-mentioned VE inspection frequencies if operating experience indicates that less frequent inspections would be sufficient to ensure compliance with the above-mentioned applicable requirements.
5. The permittee shall maintain records of the following information:

- a. the date and reason any required VE 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 VE 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 5.d. shall be kept separately for overburden removal/reclamation 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 any abnormal visible fugitive particulate emissions were observed and;
 - b. any corrective actions taken to eliminate the abnormal visible fugitive particulate emissions.
2. The deviation reports shall be submitted in accordance with the reporting requirements of Section A.2.b. of the General Terms and Conditions of this permit.
3. The permittee shall notify the Director (the appropriate Ohio EPA District Office or local air agency) of any Method 9 evaluation that did not demonstrate compliance with the opacity requirements specified above. The notification shall be in writing and shall include a copy of such record and shall be sent to the Director (the appropriate Ohio EPA District Office or local air agency) within 30 days after the exceedance occurs.

E. Testing Requirements

1. Compliance with the emissions limitations in Section A.1. of these terms and conditions shall be determined in accordance with the following methods:
 - a. Emission Limitation:
16.7 tons/yr particulate emissions

Compliance with the emission limit can be demonstrated through a one time calculation using the maximum quantity of overburden to be removed and scraper unloading/placement of

soil for reclamation and the emission factors found in AP 42, Table 13.2.3-1 for scrapers removing topsoil(1/95) and AP-42, Table 11.9-4. for scrapers unloading topsoil (7/98).

- b. Emission Limitation:
20% opacity, as a 3 minute average

Applicable Compliance Method:

If necessary compliance with the visible emission limitations for the mineral extraction 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 paragraphs (B)(3)(a) through (B)(3)(b) of OAC rule 3745-17-03.

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>
F009 - Unpaved roadways and parking areas (East side of Enon Rd.)	OAC rule 3745-31-05(A)(3)	The particulate emissions from unpaved roadways and parking areas shall not exceed 1.01 tons/year (see A.2.a below). No visible particulate emissions from any unpaved roadway or parking area except for a period of time not to exceed three minutes during any 60-minute observation period. The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.c through A.2.h).

2. Additional Terms and Conditions

2.a The annual emission limitation was established to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop record keeping and/or reporting requirements to ensure compliance with these terms.

2.b The unpaved roadways and parking areas that are covered by this permit and subject to the above-mentioned requirements are listed below:

unpaved roadways:

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Emissions Unit ID: F009

All unpaved roadways

unpaved parking areas:

All unpaved parking areas

- 2.c** 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 watering or other non-toxic dust suppressants at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.d** 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 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 unsafe or hazardous driving conditions would be created by its use.
- 2.e** Any unpaved roadway or parking area, which 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 measure(s) 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.
- 2.f** 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.g** 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.h** 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. The permittee shall not use used oil as a dust suppressant on the unpaved roadways and parking areas.

C. Monitoring and/or Recordkeeping Requirements

1. Except as otherwise provided in this section, the permittee shall perform VE inspections of the roadways and parking areas in accordance with the following frequencies:

unpaved roadways and parking areas	minimum VE inspection frequency
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All	daily
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2. The purpose of the VE inspections is to determine the need for implementing the above-mentioned control measures. The VE inspections shall be performed during representative, normal traffic conditions. No VE 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 VE 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 VE inspection was not performed, including those VE inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each VE 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

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Emissions Unit ID: F009

1. The permittee shall submit deviation reports that identify any of the following occurrences while the emissions unit is in operation:

- a. each day during which a VE inspection was not performed by the required frequency, excluding a VE 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 a VE 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:
1.01 tons/year particulate emissions from unpaved roadways and parking areas.

Applicable Compliance Method:

If necessary compliance with the emission limit shall be demonstrated through an annual calculation using the vehicle miles traveled on-site and Equation (2) from AP-42, section 13.2.2, (10/02) and 95 % control from chemical stabilization of unpaved roads from Reasonably Available Control Measures For Fugitive Dust Sources, (RACM, 1980, Ohio EPA).

$$[(0.6338 \text{ lb/VMT})(3,200 \text{ VMT/yr})]/2000 = 1.01 \text{ tons TSP/yr}$$

2. Emission Limitation:
unpaved: no visible particulate emissions except for 3 minutes during any 60-minute period

If required, 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.

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>
F010 - Aggregate Handling, Feed Hopper No.2 and 4 conveyors, 250 TPH each (East side of Enon Rd.) Conveyors only	OAC rule 3745-31-05(A)(3) 40 CFR Part 60, Subpart 000	The particulate emissions shall not exceed 0.20 lbs/hr and 0.88 TPY. The requirements of this rule also include compliance with the requirements of NSPS 40 CFR Part 60, Subpart 000 (conveyors only). The opacity shall not exceed 10% , as a 6-minute average from any transfer point.

2. Additional Terms and Conditions

- 2.a The hourly emission limitation was established to reflect the potential to emit for this emissions unit. Therefore, it is not necessary to develop record keeping and/or reporting requirements to ensure compliance with this limit.
- 2.b The permittee shall employ best available control measures to minimize or eliminate visible emissions of fugitive dust from the conveyors and feed hopper. If the inherent moisture of the in the aggregate is not sufficient to comply with the opacity restrictions of this permit, the permittee shall apply water or other suitable dust suppressant, at appropriate locations in the production line.
- 2.c The material handling operations that are covered by this permit and subject to the above mentioned requirements are listed below:

Front-end loader - Primary feeder
 Primary feeder - conveyor
 All conveyor - conveyor transfer points

- 2.d** 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 has committed to perform the following control measure(s) to ensure compliance:

material handling operation(s)

control measure(s)

front-end loader dumping into feeder and primary feeder to conveyor

maintain a low drop height and high moisture content for the material being processed

all conveyors and transfer points

maintain a low drop height and high moisture content for the material being processed

- 2.e** 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.f** 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 rule 3745-31-05.

B. Operational Restrictions

None

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall maintain monthly records of the total aggregate in tons of materials produced in this facility.
2. The permittee shall conduct annual visible emissions evaluations of this emissions unit. The initial compliance demonstration required by 40 CFR 60 Subpart OOO shall be completed within 30 days after the issuance of the PTI or within 30 days after reaching maximum production during the next operating season. The visible emissions evaluations shall be performed at maximum production capacity and during dry weather conditions. Every effort shall also be made to conduct the visible emissions evaluations between May 1 and September 30 to represent a worst case operating scenario.

The duration of the Method 9 observations shall be in accordance with the requirements of 40 CFR 60 Subpart OOO.

3. The permittee shall employ best available control measures for the 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 has committed to perform the following control measure(s) to ensure compliance:

material handling operation(s)

control measure(s)

all conveyors and transfer points

spray mist/nozzles as needed

4. 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.
5. 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 rule 3745-31-05.
6. The permittee shall perform daily checks, when the emissions unit is in operation, and when the weather conditions allow, for any visible fugitive particulate emissions from the emissions unit. The presence or absence of any visible emissions shall be noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:
 - a. the color of the emissions;
 - b. whether the emissions are representative of normal operations;
 - c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
 - d. the total duration of any visible emission incident; and
 - e. any corrective actions taken to minimize or eliminate the visible emissions.

If visible emissions are present, a visible emission incident has occurred. The observer does not have to document the exact start and end times for the visible emission incident under item (d) above or continue the daily check until the incident has ended. The observer may indicate that the visible emission incident was continuous during the observation period (or, if known, continuous during the operation of the emissions unit). With respect to the documentation of corrective actions, the observer may indicate that no corrective actions were taken if the visible emissions were representative of normal operations, or specify the minor corrective actions that were taken to ensure that the emissions unit continued to operate under normal conditions, or specify the corrective actions that were taken to eliminate abnormal visible emissions.

D. Reporting Requirements

1. The permittee shall submit annual reports of the annual production rate for this facility. These reports shall be submitted by January 31 of each year to the Director (the appropriate Ohio EPA District Office or local air agency).
2. The permittee shall notify the Director (the appropriate Ohio EPA District Office or local air agency) of any Method 9 evaluation that did not demonstrate compliance with the opacity requirements specified above. The notification shall be in writing and shall include a copy of such record and shall be sent to the Director (the appropriate Ohio EPA DO or laa) within 30 days after the exceedance occurs.
3. The permittee shall report within 30 days, any change in the saturated or unsaturated nature of the material being processed in feed hopper or on the conveyors. The affected emissions unit is then subject to the provisions of the standard applicable to the type of material being processed.
4. 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; and

The deviation reports shall be submitted in accordance with section A.2.b of the General Terms and Conditions of this permit.

5. The permittee shall submit the following information for each piece of equipment that is replaced by a piece of equipment having the same function at the existing facility:
 - a. for a conveyor belt:
 - i. the width of the existing belt being replaced, and
 - ii. the width of the replacement conveyor belt; and
 - b. The permittee shall submit the date of manufacture of each existing piece of equipment being replaced and the date of manufacture of the replacement. The notification shall be submitted 30 days (or as soon as possible) before installation of the replacement equipment is begun.

The notification shall be submitted within 30 days after equipment replacement.

6. This emissions unit is subject to the applicable provisions of the New Source Performance Standards (NSPS) as promulgated by the United States Environmental Protection Agency, 40

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CFR Part 60.

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

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

- 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 - Air Quality Modeling and Planning
 P.O. Box 1049
 Columbus, OH 43216-1049

and

Regional Air Pollution Control Agency
 Montgomery County Health Dept.
 117 South Main Street
 Dayton, Ohio 45422-1280

*The permittee shall submit a notification of the actual date of initial startup of each affected facility to the Administrator. The notification shall be postmarked within 15 days after such date and shall include a description of each affected facility, equipment manufacturer, and serial number of the equipment, if available.

E. Testing Requirements

1. Compliance with the emission limitations in this permit for the emissions unit shall be determined in accordance with the following method(s):
 - a. Emission Limitation-
0.20 lbs/hr particulate emissions

Applicable Compliance Method-
Compliance shall be determined by summing the maximum hourly emission rates for the conveyors and feed hopper.
 - i. The maximum hourly emission rate for the conveyors are determined by multiplying the maximum hourly production rates of 250 tons/hr for each piece of equipment by the emission factor of 0.0001008 lb/ton [(0.000048 lb PM-10/ton)(2.1)], as specified in USEPA reference document AP-42, Table 11.19.2-2 (1/95), and summing the emission rates for each piece of equipment.

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- ii. The maximum hourly emission rate for the feed hopper is determined by multiplying the maximum hourly production rates for the feed hopper (250TPH) by the emission factor of 0.0014 lb/ton, as specified in a Title V Applicability Survey, 1994.
 - iii. sum i. and ii.
 - b. Emission Limitation-
0.88 tons/yr particulate emissions combined

Applicable Compliance Method-
Compliance shall be determined by summing the annual emission rates for the conveyors and feed hopper. (See i. through ii. below)
 - i. The annual emission rates for the conveyors are determined by multiplying the combined hourly emission rate of 0.126 lbs/hr by the maximum operating schedule of 8,760 hrs/yr , and dividing by 2000 lbs/ton.
 - ii. The annual emission rate for the feed hopper is determined by multiplying the emission rate 0.07 lbs/hr by the maximum operating schedule of 8,760 hrs/yr , and dividing by 2000 lbs/ton.
 - iii. sum i. and ii.
 - c. Emission Limitation-
10% opacity, as a 6-minute average (transfer points, conveyors, material handling equipment)

Applicable Compliance Method-
Compliance shall be determined by visible emission evaluations performed using the methods and procedures specified in USEPA Reference Method 9 and 40 CFR 60 Subpart 000.
 - d. Emission Limitation-
No visible emissions (saturated equipment)

Applicable Compliance Method-
Compliance shall be based on USEPA 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

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(B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

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>
F011- load-in and load-out of storage piles (see Section A.2.b for identification of storage piles) (East side of Enon Rd.)	OAC rule 3745-31-05(A)(3)	The particulate emissions shall not exceed 3.06 tons/yr. There shall be no visible emissions except for one minute in any hour. The permittee shall employ 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)
wind erosion from storage piles (see Section A.2.b for identification of storage piles) (East side of Enon Rd.)	OAC rule 3745-31-05(A)(3)	The particulate emissions shall not exceed 0.35 tons/yr. There shall be no visible emissions except for one minute in any hour The permittee shall employ 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 annual emission limitations were established to reflect the potential to emit for this

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emissions unit. Therefore, it is not necessary to develop record keeping and/or reporting requirements to ensure compliance with these terms.

- 2.b** The storage piles that are covered by this permit and subject to the requirements of OAC rule 3745-31-05 are listed below:

All

- 2.c** 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 the implementation of operating precaution to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.d** 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.e** 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. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.f** 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.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 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 visible emission inspections of each load-in operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-in inspection frequency</u>
All	Daily

2. Except as otherwise provided in this section, the permittee shall perform visible emission inspections of each load-out operation at each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum load-out inspection frequency</u>
All	Daily

3. Except as otherwise provided in this section, the permittee shall perform visible emission inspections of the wind erosion from pile surfaces associated with each storage pile in accordance with the following frequencies:

<u>storage pile identification</u>	<u>minimum wind erosion inspection frequency</u>
All	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

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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 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 a visible emission 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 emission limitations in Section A1. of these terms and conditions shall be determined in accordance with the following method(s):
 - a. Emission Limitation-
3.41 tons PE/yr total (3.06 TPY including load-in, load-out and 0.35 TPY wind erosion emissions TPY)

Applicable Compliance Method-

If necessary compliance with the emission limit can be demonstrated through a one time calculation using the maximum allowable annual production rate of the facility and equation (1) from AP 42, Section 13.2.4 (1/95) for load-in and load out of material on aggregate storage piles. For wind erosion, the emission factor and equation (2) as calculated from "Control of Open Fugitive Dust Sources", USEPA (EPA -450/3-88-008).

- b. Emission Limitation-
no visible emissions except for one minute in any hour

Applicable Compliance Method-

If necessary 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.

F. Miscellaneous Requirements

None