



John R. Kasich, Governor
Mary Taylor, Lt. Governor
Scott J. Nally, Director

3/13/2013

Certified Mail

Michael Puskarich
HLC Resources, Inc. Refuse Reclamation and Processing
P.O. Box 127
Powhatan Point, OH 43942

No	TOXIC REVIEW
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT/GACT
No	NSPS
No	NESHAPS
No	NETTING
No	MODELING SUBMITTED
No	SYNTHETIC MINOR TO AVOID TITLE V
No	FEDERALLY ENFORCABLE PTIO (FEPTIO)
No	SYNTHETIC MINOR TO AVOID MAJOR GHG

RE: FINALAIR POLLUTION PERMIT-TO-INSTALL AND OPERATE

Facility ID: 0607115001
Permit Number: P0110023
Permit Type: Initial Installation
County: Belmont

Dear Permit Holder:

Enclosed please find a final Ohio Environmental Protection Agency (EPA) Air Pollution Permit-to-Install and Operate (PTIO) which will allow you to install, modify, and/or operate the described emissions unit(s) in the manner indicated in the permit. Because this permit contains conditions and restrictions, please read it very carefully. In this letter you will find the information on the following topics:

- **How to appeal this permit**
- **How to save money, reduce pollution and reduce energy consumption**
- **How to give us feedback on your permitting experience**
- **How to get an electronic copy of your permit**

How to appeal this permit

The issuance of this PTIO is a final action of the Director and may be appealed to the Environmental Review Appeals Commission pursuant to Section 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. The appeal must be filed with the Commission within thirty (30) days after notice of the Director's action. The appeal must be accompanied by a filing fee of \$70.00, made payable to "Ohio Treasurer Josh Mandel," which the Commission, in its discretion, may reduce if by affidavit you demonstrate that payment of the full amount of the fee would cause extreme hardship. Notice of the filing of the appeal shall be filed with the Director within three (3) days of filing with the Commission. Ohio EPA requests that a copy of the appeal be served upon the Ohio Attorney General's Office, Environmental Enforcement Section. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
77 South High Street, 17th Floor
Columbus, OH 43215

How to save money, reduce pollution and reduce energy consumption

The Ohio EPA is encouraging 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 Compliance Assistance and Pollution Prevention at (614) 644-3469. Additionally, all or a portion of the capital expenditures related to installing air pollution control equipment under this permit may be eligible for financing and State tax exemptions through the Ohio Air Quality Development Authority (OAQDA) under Ohio Revised Code Section 3706. For more information, see the OAQDA website: www.ohioairquality.org/clean_air

How to give us feedback on your permitting experience

Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

How to get an electronic copy of your permit

This permit can be accessed electronically via the eBusiness Center: Air Services in Microsoft Word format or in Adobe PDF on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Search for Permits" link under the Permitting topic on the Programs tab.

If you have any questions, please contact Ohio EPA DAPC, Southeast District Office at (740)385-8501 or the Office of Compliance Assistance and Pollution Prevention at (614) 644-3469.

Sincerely,



Michael W. Ahern, Manager

Permit Issuance and Data Management Section, DAPC

Cc: Ohio EPA-SEDO



FINAL

**Division of Air Pollution Control
Permit-to-Install and Operate
for**

HLC Resources, Inc. Refuse Reclamation and Processing

Facility ID:	0607115001
Permit Number:	P0110023
Permit Type:	Initial Installation
Issued:	3/13/2013
Effective:	3/13/2013
Expiration:	3/13/2023



Division of Air Pollution Control
Permit-to-Install and Operate
for
HLC Resources, Inc. Refuse Reclamation and Processing

Table of Contents

Authorization	1
A. Standard Terms and Conditions	3
1. What does this permit-to-install and operate ("PTIO") allow me to do?.....	4
2. Who is responsible for complying with this permit?	4
3. What records must I keep under this permit?	4
4. What are my permit fees and when do I pay them?.....	4
5. When does my PTIO expire, and when do I need to submit my renewal application?	4
6. What happens to this permit if my project is delayed or I do not install or modify my source?	5
7. What reports must I submit under this permit?	5
8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit?	5
9. What are my obligations when I perform scheduled maintenance on air pollution control equipment? ...	5
10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?	6
11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located?	6
12. What happens if one or more emissions units operated under this permit is/are shut down permanently?	6
13. Can I transfer this permit to a new owner or operator?.....	7
14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"?	7
15. What happens if a portion of this permit is determined to be invalid?	7
B. Facility-Wide Terms and Conditions.....	8
C. Emissions Unit Terms and Conditions	10
1. F001, paved roadways and parking areas.....	11
2. F005, unpaved roadways and parking areas.....	16
3. F006, material storage piles	22
4. F007, material handling.....	32
5. F008, coal processing plant	40
6. F009, mineral extraction.....	48



Authorization

Facility ID: 0607115001
Application Number(s): A0044512, A0046060
Permit Number: P0110023
Permit Description: Installation of roadways and parking areas, material storage piles, material handling, coal processing plant, and mineral extraction
Permit Type: Initial Installation
Permit Fee: \$4,350.00
Issue Date: 3/13/2013
Effective Date: 3/13/2013
Expiration Date: 3/13/2023
Permit Evaluation Report (PER) Annual Date: Jan 1 - Dec 31, Due Feb 15

This document constitutes issuance to:

HLC Resources, Inc. Refuse Reclamation and Processing
P.O. Box 127
55860 Dilles Bottom Rd. Shadyside, OH 43947
Powhatan Point, OH 43942

of a Permit-to-Install and Operate for the emissions unit(s) identified on the following page.

Ohio Environmental Protection Agency (EPA) District Office or local air agency responsible for processing and administering your permit:

Ohio EPA DAPC, Southeast District Office
2195 Front Street
Logan, OH 43138
(740)385-8501

The above named entity is hereby granted this Permit-to-Install and Operate for the air contaminant source(s) (emissions unit(s)) listed in this section 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 described emissions unit(s) will operate in compliance with applicable State and federal laws and regulations.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency


Scott J. Nally
Director



Authorization (continued)

Permit Number: P0110023
Permit Description: Installation of roadways and parking areas, material storage piles, material handling, coal processing plant, and mineral extraction

Permits for the following Emissions Unit(s) or groups of Emissions Units are in this document as indicated below:

Emissions Unit ID:	F001
Company Equipment ID:	paved roadways and parking areas
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F005
Company Equipment ID:	unpaved roadways and parking areas
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F006
Company Equipment ID:	material storage piles
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F007
Company Equipment ID:	material handling
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F008
Company Equipment ID:	coal processing plant
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable
Emissions Unit ID:	F009
Company Equipment ID:	mineral extraction
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable



Final Permit-to-Install and Operate
HLC Resources, Inc. Refuse Reclamation and Processing
Permit Number: P0110023
Facility ID: 0607115001
Effective Date: 3/13/2013

A. Standard Terms and Conditions



1. What does this permit-to-install and operate ("PTIO") allow me to do?

This permit allows you to install and operate the emissions unit(s) identified in this PTIO. You must install and operate the unit(s) in accordance with the application you submitted and all the terms and conditions contained in this PTIO, including emission limits and those terms that ensure compliance with the emission limits (for example, operating, recordkeeping and monitoring requirements).

2. Who is responsible for complying with this permit?

The person identified on the "Authorization" page, above, is responsible for complying with this permit until the permit is revoked, terminated, or transferred. "Person" means a person, firm, corporation, association, or partnership. The words "you," "your," or "permittee" refer to the "person" identified on the "Authorization" page above.

The permit applies only to the emissions unit(s) identified in the permit. If you install or modify any other equipment that requires an air permit, you must apply for an additional PTIO(s) for these sources.

3. What records must I keep under this permit?

You must keep all records required by this permit, including monitoring data, test results, strip-chart recordings, calibration data, maintenance records, and any other record required by this permit for five years from the date the record was created. You can keep these records electronically, provided they can be made available to Ohio EPA during an inspection at the facility. Failure to make requested records available to Ohio EPA upon request is a violation of this permit requirement.

4. What are my permit fees and when do I pay them?

There are two fees associated with permitted air contaminant sources in Ohio:

- PTIO fee. This one-time fee is based on a fee schedule in accordance with Ohio Revised Code (ORC) section 3745.11, or based on a time and materials charge for permit application review and permit processing if required by the Director.

You will be sent an invoice for this fee after you receive this PTIO and payment is due within 30 days of the invoice date. You are required to pay the fee for this PTIO even if you do not install or modify your operations as authorized by this permit.

- Annual emissions fee. Ohio EPA will assess a separate fee based on the total annual emissions from your facility. You self-report your emissions in accordance with Ohio Administrative Code (OAC) Chapter 3745-78. This fee assessed is based on a fee schedule in ORC section 3745.11 and funds Ohio EPA's permit compliance oversight activities. Unless otherwise specified, facilities subject to one or more synthetic minor restrictions must use Ohio EPA's "Air Services" to submit annual emissions associated with this permit requirement. Ohio EPA will notify you when it is time to report your emissions and to pay your annual emission fees.

5. When does my PTIO expire, and when do I need to submit my renewal application?

This permit expires on the date identified at the beginning of this permit document (see "Authorization" page above) and you must submit a renewal application to renew the permit. Ohio EPA will send a renewal notice to you approximately six months prior to the expiration date of this permit. However, it is



very important that you submit a complete renewal permit application (postmarked prior to expiration of this permit) even if you do not receive the renewal notice.

If a complete renewal application is submitted before the expiration date, Ohio EPA considers this a timely application for purposes of ORC section 119.06, and you are authorized to continue operating the emissions unit(s) covered by this permit beyond the expiration date of this permit until final action is taken by Ohio EPA on the renewal application.

6. What happens to this permit if my project is delayed or I do not install or modify my source?

This PTIO expires 18 months after the issue date identified on the "Authorization" page above unless otherwise specified if you have not (1) started constructing the new or modified emission sources identified in this permit, or (2) entered into a binding contract to undertake such construction. This deadline can be extended by up to 12 months, provided you apply to Ohio EPA for this extension within a reasonable time before the 18-month period has ended and you can show good cause for any such extension.

7. What reports must I submit under this permit?

An annual permit evaluation report (PER) is required in addition to any malfunction reporting required by OAC rule 3745-15-06 or other specific rule-based reporting requirement identified in this permit. Your PER due date is identified in the Authorization section of this permit.

8. If I am required to obtain a Title V operating permit in the future, what happens to the operating provisions and PER obligations under this permit?

If you are required to obtain a Title V permit under OAC Chapter 3745-77 in the future, the permit-to-operate portion of this permit will be superseded by the issued Title V permit. From the effective date of the Title V permit forward, this PTIO will effectively become a PTI (permit-to-install) in accordance with OAC rule 3745-31-02(B). The following terms and conditions will no longer be applicable after issuance of the Title V permit: Section B, Term 1.b) and Section C, for each emissions unit, Term a)(2).

The PER requirements in this permit remain effective until the date the Title V permit is issued and is effective, and cease to apply after the effective date of the Title V permit. The final PER obligation will cover operations up to the effective date of the Title V permit and must be submitted on or before the submission deadline identified in this permit on the last day prior to the effective date of the Title V permit.

9. What are my obligations when I perform scheduled maintenance on air pollution control equipment?

You must perform scheduled maintenance of air pollution control equipment in accordance with OAC rule 3745-15-06(A). If scheduled maintenance requires shutting down or bypassing any air pollution control equipment, you must also shut down the emissions unit(s) served by the air pollution control equipment during maintenance, unless the conditions of OAC rule 3745-15-06(A)(3) are met. Any emissions that exceed permitted amount(s) under this permit (unless specifically exempted by rule) must be reported as deviations in the annual permit evaluation report (PER), including nonexempt excess emissions that occur during approved scheduled maintenance.



10. Do I have to report malfunctions of emissions units or air pollution control equipment? If so, how must I report?

If you have a reportable malfunction of any emissions unit(s) or any associated air pollution control system, you must report this to the Ohio EPA DAPC, Southeast District Office in accordance with OAC rule 3745-15-06(B). Malfunctions that must be reported are those that result in emissions that exceed permitted emission levels. It is your responsibility to evaluate control equipment breakdowns and operational upsets to determine if a reportable malfunction has occurred.

If you have a malfunction, but determine that it is not a reportable malfunction under OAC rule 3745-15-06(B), it is recommended that you maintain records associated with control equipment breakdown or process upsets. Although it is not a requirement of this permit, Ohio EPA recommends that you maintain records for non-reportable malfunctions.

11. Can Ohio EPA or my local air agency inspect the facility where the emission unit(s) is/are located?

Yes. Under Ohio law, the Director or his authorized representative may inspect the facility, conduct tests, examine records or reports to determine compliance with air pollution laws and regulations and the terms and conditions of this permit. You must provide, within a reasonable time, any information Ohio EPA requests either verbally or in writing.

12. What happens if one or more emissions units operated under this permit is/are shut down permanently?

Ohio EPA can terminate the permit terms associated with any permanently shut down emissions unit. "Shut down" means the emissions unit has been physically removed from service or has been altered in such a way that it can no longer operate without a subsequent "modification" or "installation" as defined in OAC Chapter 3745-31.

You should notify Ohio EPA of any emissions unit that is permanently shut down by submitting¹ a certification that identifies the date on which the emissions unit was permanently shut down. The certification must be submitted by an authorized official from the facility. You cannot continue to operate an emissions unit once the certification has been submitted to Ohio EPA by the authorized official.

You must comply with all recordkeeping and reporting for any permanently shut down emissions unit in accordance with the provisions of the permit, regulations or laws that were enforceable during the period of operation, such as the requirement to submit a PER, air fee emission report, or malfunction report. You must also keep all records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, for at least five years from the date the record was generated.

Again, you cannot resume operation of any emissions unit certified by the authorized official as being permanently shut down without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

¹ Permittees that use Ohio EPA's "Air Services" can mark the affected emissions unit(s) as "permanently shutdown" in the facility profile along with the date the emissions unit(s) was permanently removed and/or disabled. Submitting the facility profile update will constitute notifying of the permanent shutdown of the affected emissions unit(s).



13. Can I transfer this permit to a new owner or operator?

You can transfer this permit to a new owner or operator. If you transfer the permit, you must follow the procedures in OAC Chapter 3745-31, including notifying Ohio EPA or the local air agency of the change in ownership or operator. Any transferee of this permit must assume the responsibilities of the transferor permit holder.

14. Does compliance with this permit constitute compliance with OAC rule 3745-15-07, "air pollution nuisance"?

This permit and OAC rule 3745-15-07 prohibit operation of the air contaminant source(s) regulated under this permit in a manner that causes a nuisance. Ohio EPA can require additional controls or modification of the requirements of this permit through enforcement orders or judicial enforcement action if, upon investigation, Ohio EPA determines existing operations are causing a nuisance.

15. What happens if a portion of this permit is determined to be invalid?

If a portion of this permit is determined to be invalid, the remainder of the terms and conditions remain valid and enforceable. The exception is where the enforceability of terms and conditions are dependent on the term or condition that was declared invalid.



B. Facility-Wide Terms and Conditions



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



C. Emissions Unit Terms and Conditions



1. F001, paved roadways and parking areas

Operations, Property and/or Equipment Description:

0.29 acres of paved roadways and parking areas; maximum vehicle miles traveled (VMT) for paved roadways is 12,000

a) 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.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	0.14 ton/year of fugitive particulate matter of 10 microns or less (PM10) no visible particulate emissions (PE), except for 1 minute during any 60-minute period. best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust. [See b)(2)e. through b)(2)j.]
b.	OAC rule 3745-31-05(A)(3), as effective 12/01/06	See b)(2)b.
c.	OAC rule 3745-17-07(B)(5)	The emission limitation specified by this rule is less stringent than the emission



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		limitation established pursuant to OAC rule 3745-31-05(A)(3). See b)(2)c.
d.	OAC rule 3745-17-08(B)	The control measures/requirements specified by this rule are less stringent than or as stringent as the control measures/requirements established pursuant to OAC rule 3745-31-05(A)(3). See b)(2)d.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC paragraph 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulations for NAAQS pollutants less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State implementation Plan(SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of 3745-31-05, then these emission limits/control measures no longer apply.

- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan.

Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3), as effective December 1, 2006, do not apply to the PM10 emissions from this air contaminant source since the potential to emit (PTE) is less than 10 tons per year taking into consideration the control measures.

The BAT requirements under OAC rule 3745-31-05(A)(3) are not applicable to the particulate emissions (PE) emitted from this emissions unit. BAT is only applicable to emissions of an air contaminant or precursor of an air contaminant for which a NAAQS has been adopted under the Clean Air Act. Particulate emissions (also referred to as total suspended particulate or particulate matter) do not involve an established NAAQS.



- c. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the limitation, based on OAC rule 3745-17-07(B) [i.e., No VEs, except for 6 minutes during any 60-minute observation period] shall apply to this emissions unit.
- d. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the control measures/requirements based on OAC rule 3745-17-08(B) shall apply to this emissions unit.
- e. The following paved and unpaved parking roadways and parking areas are covered by this permit and subject to the requirements of OAC rule 3745-17-08 and ORC 3704.03(T):

paved and unpaved roadways and parking areas

allpaved roadways and parking areas
- 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 application, the permittee has committed to treat the paved roadways and parking areas by application of chemical stabilization/dust suppressants and/or watering at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.
- g. 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 paved roadways and parking areas that are 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.
- h. The permittee shall promptly remove, in such a manner as to minimize or prevent re-suspension, 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.
- i. 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.
- j. 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.



c) Operational Restrictions

- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) Except as otherwise provided in this section, the permittee shall perform inspections of each of the roadway segments and parking areas in accordance with the following frequencies:

<u>paved roadways and parking areas</u>	<u>minimum inspection frequency</u>
---	-------------------------------------

all roads and parking areas	daily
-----------------------------	-------

(gravel primary roads 001 and 002)

- (2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
- (3) The permittee shall maintain records of the following information:
- 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;
 - the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - the dates the control measures were implemented; and
 - 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 d)(3)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

e) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit



- (2) The permittee shall also identify the following occurrences in the PER:
- 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.
- f) Testing Requirements
- (1) Compliance with the emission limitations in b)(1) shall be determined in accordance with the following methods:
- a. Emission Limitations:
0.14 ton/year of fugitive PM10

Applicable Compliance Method:

Compliance with the fugitive PM10 emission limitation above shall be determined by using the equation in Section 13.2.1, Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 1/11) for paved roadways. Should further updates in AP-42 occur, the most current equations for paved roads shall be used. This emission limit was based on a maximum of 12,000 vehicle miles traveled per year, a 95 % control efficiency for PM10, and the following variables:

 K (particle size multiplier) = 0.0022 (for PM10), s (surface material silt content) = 12%, w (mean vehicle weight (tons)) = 20.5, p (no of days with >0.01 inch precipitation) =140.
 - b. Emission Limitation:

No visible PE from paved roadways and parking areas, except for a period of time not to exceed one minute during any 60-minute observation period.

No visible PE from paved roadways and parking areas, except for a period of time not to exceed 6 minutes during any 60-minute observation period.

Applicable Compliance Method:

If required, compliance with the visible PE limitation listed 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.
- g) Miscellaneous Requirements
- (1) None.



2. F005, unpaved roadways and parking areas

Operations, Property and/or Equipment Description:

0.55 acres unpaved roadways, and 11.2 acres of primary unpaved roadways; maximum VMT for all unpaved roadways is 24,000

a) 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.

b) **Applicable Emissions Limitations and/or Control Requirements**

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	1.14 tons/year of fugitive particulate matter of 10 microns or less (PM10) no visible PE except, for 3 minutes during any 60-minute period best available control measures that are sufficient to minimize or eliminate visible PE of fugitive dust. [See b)(2)e. through b)(2)k.]
b.	OAC rule 3745-31-05(A)(3), as effective 12/01/06	See b)(2)b.
c.	OAC rule 3745-17-07(B)(5)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		See b)(2)c.
d.	OAC rule 3745-17-08(B)	The control measures/requirements specified by this rule are less stringent than or as stringent as the control measures/requirements established pursuant to OAC rule 3745-31-05(A)(3). See b)(2)d.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC paragraph 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulations for NAAQS pollutants less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State implementation Plan(SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revisions to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of 3745-31-05, then these emission limits/control measures no longer apply.
- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan.

 Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3), as effective December 1, 2006, do not apply to the PM10 emissions from this air contaminant source since the potential to emit (PTE) is less than 10 tons per year taking into consideration the control measures.
- c. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the limitation, based on OAC rule 3745-17-07(B) [i.e., No VEs, except for 13 minutes during any 60-minute observation period] shall apply to this emissions unit.
- d. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the control measures/requirements based on OAC rule 3745-17-08(B) shall apply to this emissions unit.



- e. The following paved and unpaved parking roadways and parking areas are covered by this permit and subject to the requirements of OAC rule 3745-17-08 and OAC 3745-31-05(A)(3):

Unpaved and paved roadways and parking areas

allunpaved roadways and parking areas

(concrete primary road 001)

- f. The permittee shall employ best/reasonably 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 and/or any other suitable dust suppressants at sufficient treatment frequencies and to enforce a maximum speed limit of 5 mph to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.
- g. 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 unpaved roadways and parking areas that are 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.
- h. The permittee shall promptly remove, in such a manner as to minimize or prevent re-suspension, 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.
- i. 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 appropriate dust control measures for paved surfaces. Any unpaved roadway or parking area that takes the characteristics of a paved roadway or parking area due to the application of certain types of dust suppressants shall remain subject to the visible emission limitation for unpaved roadways and parking areas. Any unpaved roadway or parking area that is paved shall be subject to the visible emission limitation for paved roadways and parking.
- j. 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.



- k. 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.
- c) Operational Restrictions
 - (1) None.
- d) Monitoring and/or Recordkeeping Requirements
 - (1) Except as otherwise provided in this section, the permittee shall perform inspections of each of the roadway segments and parking areas in accordance with the following frequencies:

<u>unpaved roadways and parking areas</u>	<u>minimum inspection frequency</u>
allunpaved roads and parking areas (concrete unpaved primary road 001)	daily
 - (2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal traffic conditions. No inspection shall be necessary for a roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Any required inspection that is not performed due to any of the above-identified events shall be performed as soon as such event(s) has (have) ended, except if the next required inspection is within one week.
 - (3) The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed, including those inspections that were not performed due to snow and/or ice cover or precipitation;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measures;
 - c. the dates the control measures were implemented; and
 - d. on a calendar quarter basis, the total number of days the control measures were implemented and the total number of days where snow and/or ice cover or precipitation were sufficient to not require the control measures.

The information required in d)(3)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.



e) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.
- (2) The permittee shall also identify the following occurrences in the PER:
 - 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.

f) Testing Requirements

- (1) Compliance with the emission limitations in b)(1) shall be determined in accordance with the following methods:
 - a. Emission Limitations:
1.14 tons/year of fugitive PM10

Applicable Compliance Method:

Compliance with fugitive PM10 emission limitation above shall be determined by using the equation in Section 13.2.1, Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 11/06) for unpaved roadways. Should further updates in AP-42 occur, the most current equations for unpaved roads shall be used. The emission limit was based on a maximum of 12,000 vehicle miles traveled per year, a 95% control efficiency for PM10, and the following:

$$K \text{ (particle size multiplier)} = 1.5 \text{ (for PM10), } s \text{ (surface material silt content)} = 9.2\%, w \text{ (mean vehicle weight (tons))} = 20.5, p \text{ (no. of days with } >0.01 \text{ inch precipitation)} = 130.$$
 - b. Emissions Limitation:
No visible PE from unpaved roadways and parking areas, except for a period of time not to exceed 3 minutes during any 60-minute observation period.

No visible PE from unpaved roadways and parking areas except for a period of time not to exceed 13 minutes during any 60-minute observation period (when it becomes applicable)



Applicable Compliance Method:

If required, compliance with the visible PE limitation listed 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").

g) Miscellaneous Requirements

- (1) None.



3. F006, material storage piles

Operations, Property and/or Equipment Description:

Two coal refuse storage piles (0.5 acres each) with two load-ins and two load-outs total

a) 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.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
load-in and load-out of storage piles		
a.	OAC rule 3745-31-05(A)(3) as effective 11/30/01	Visible PE shall not exceed 1 minute in any 60 minute observation period for storage piles. The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [see b)(2)f, g and j]. See b)(2)a.
wind erosion from storage piles		
b.	OAC rule 3745-31-05(A)(3) as effective 11/30/01	Visible PE shall not exceed 1 minute in any 60 minute observation period for storage piles. The permittee shall employ best available



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [see b)(2)h, i and j]. See b)(2)a.
load-in and load-out of storage piles, and wind erosion		
c.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Fugitive particulate matter of 10 microns or less (PM10) shall not exceed 1.7 tons/year. The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-08(B) and 40 CFR Part 60, Subpart Y and Subpart A. See b)(2)a. below
d.	OAC rule 3745-31-05(A)(3), as effective 12/01/06	See b)(2)b. below.
e.	OAC rule 3745-17-07(B)(6)	The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3). See b)(2)d.
f.	OAC rule 3745-17-08(B)	The control measures/requirements specified by this rule are less stringent than or as stringent as the control measures/requirements established pursuant to OAC rule 3745-31-05(A)(3). See b)(2)e.
g.	40 CFR Part 60, Subpart Y	The owner or operator of an open storage pile must prepare and operate in accordance with a submitted fugitive coal dust emissions control plan that is appropriate for the site conditions as specified in paragraphs (c)(1) through (6) of 40 CFR Part, Subpart Y [60.254(c)(1) through(6)]. See c)(1) through c)(6) below.
h.	40 CFR Part 60.1-19, Subpart A (40 CFR 60.1a)	The provisions of Subpart A apply to the owner or operator of any stationary source which contains an affected facility that commenced construction or



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		modification after the date of publication in 40 CFR Part 60 that is applicable to that facility.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulation for NAAQS pollutant emissions less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revision to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limits/control measures no longer apply.
- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to fugitive particulate emissions from this air contaminant source since the uncontrolled potential to emit for fugitive particulate emissions is less than 10 tons/yr.
- c. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the limitation, based on OAC rule 3745-17-07(B) [i.e., No VEs, except for 13 minutes during any 60-minute observation period] shall apply to this emissions unit.
- d. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the control measures/requirements based on OAC rule 3745-17-08(B) shall apply to this emissions unit.
- e. The storage piles that are covered by this permit and subject to the above-mentioned requirements are listed below:

2 coal refuse storage piles
- f. The permittee shall employ best/reasonably 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 maintain a low drop height and to treat the coal with water and/or any other suitable dust suppression chemicals at sufficient treatment frequencies to ensure



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

- g. 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.
- h. The permittee shall employ best/reasonably available control measures while maintaining the raw and clean storage piles and coal refuse embankments listed above and to prevent wind erosion from those 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 maintain sufficient moisture to prevent fugitive dust or to treat the coal with water and/or any other suitable dust suppression chemicals at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.
- i. For each storage pile or embankment operation, the above-identified control measures shall be implemented for wind erosion if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during the operation until further observation confirms that use of the control measures is unnecessary. 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.
- j. Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08(B) and 3745-31-05(A)(3).

c) **Operational Restrictions**

- (1) The fugitive coal dust emissions control plan must identify and describe the control measures the owner or operator will use to minimize fugitive coal dust emissions from each open storage pile.
- (2) For open coal storage piles, the fugitive coal dust emissions control plan must require that one or more of the following control measures be used to minimize to the greatest extent practicable fugitive coal dust: Locating the source inside a partial enclosure, installing and operating a water spray or fogging system, applying appropriate chemical dust suppression agents on the source (when the provisions of paragraph c)(6) of this section are met), use of a wind barrier, compaction, or use of a vegetative cover. The owner or operator must select, for inclusion in the fugitive coal dust emissions control plan, the control measure or measures listed in this paragraph that are most appropriate



for site conditions. The plan must also explain how the measure or measures selected are applicable and appropriate for site conditions. In addition, the plan must be revised as needed to reflect any changing conditions at the source.

- (3) Any owner or operator of an affected facility that is required to have a fugitive coal dust emissions control plan may petition the Administrator to approve, for inclusion in the plan for the affected facility, alternative control measures other than those specified in paragraph c)(2) of this section as specified in paragraphs c)(3)a through d of this section.
 - a. The petition must include a description of the alternative control measures, a copy of the fugitive coal dust emissions control plan for the affected facility that includes the alternative control measures, and information sufficient for EPA to evaluate the demonstrations required by paragraph c)(3)b of this section.
 - b. The owner or operator must either demonstrate that the fugitive coal dust emissions control plan that includes the alternate control measures will provide equivalent overall environmental protection or demonstrate that it is either economically or technically infeasible for the affected facility to use the control measures specifically identified in paragraph c)(2).
 - c. While the petition is pending, the owner or operator must comply with the fugitive coal dust emissions control plan including the alternative control measures submitted with the petition. Operation in accordance with the plan submitted with the petition shall be deemed to constitute compliance with the requirement to operate in accordance with a fugitive coal dust emissions control plan that contains one of the control measures specifically identified in paragraph c)(2) of this section while the petition is pending.
 - d. If the petition is approved by the Administrator, the alternative control measures will be approved for inclusion in the fugitive coal dust emissions control plan for the affected facility. In lieu of amending this subpart, a letter will be sent to the facility describing the specific control measures approved. The facility shall make any such letters and the applicable fugitive coal dust emissions control plan available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.
- (4) The owner or operator must submit the fugitive coal dust emissions control plan to the Administrator or delegated authority as specified in paragraphs c)(4)a and c)(4)b of this section.
 - a. The plan must be submitted to the Administrator or delegated authority prior to startup of the new, reconstructed, or modified affected facility, or 30 days after the effective date of this rule, whichever is later.
 - b. The plan must be revised as needed to reflect any changing conditions at the source. Such revisions must be dated and submitted to the Administrator or delegated authority before a source can operate pursuant to these revisions. The Administrator



or delegated authority may also object to such revisions as specified in paragraph c)(5) of this section.

- (5) The Administrator or delegated authority may object to the fugitive coal dust emissions control plan as specified in paragraphs c)(5)a and c)(5)b of this section.
 - a. The Administrator or delegated authority may object to any fugitive coal dust emissions control plan that it has determined does not meet the requirements of paragraphs c)(1) and c)(2) of this section.
 - b. If an objection is raised, the owner or operator, within 30 days from receipt of the objection, must submit a revised fugitive coal dust emissions control plan to the Administrator or delegated authority. The owner or operator must operate in accordance with the revised fugitive coal dust emissions control plan. The Administrator or delegated authority retain the right, under paragraph c)(5) of this section, to object to the revised control plan if it determines the plan does not meet the requirements of paragraphs c)(1) and c)(2) of this section.
- (6) Where appropriate chemical dust suppression agents are selected by the owner or operator as a control measure to minimize fugitive coal dust emissions where:
 - a. only chemical dust suppressants with Occupational Safety and Health Administration (OSHA)-compliant material safety data sheets (MSDS) are to be allowed;
 - b. the MSDS must be included in the fugitive coal dust emissions control plan; and
 - c. the owner or operator must consider and document in the fugitive coal dust emissions control plan the site-specific impacts associated with the use of such chemical dust suppressants.
- d) **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:

<u>storage pile identification</u>	<u>minimum load-in inspection frequency</u>
coal refuse	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:

<u>storage pile identification</u>	<u>minimum load-out inspection frequency</u>
coal refuse	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

coal refuse

daily

- (4) No inspection shall be necessary for wind erosion from the surface of a storage pile or embankment when the pile or embankment is covered with snow and/or ice and for any storage pile or embankment 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 maintenance of the storage piles, and wind erosion from the surface of the storage piles and coal refuse embankment. The inspections shall be performed during representative, normal storage pile operating conditions.
- (6) The permittee shall maintain records of the following information:
- a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
 - c. the dates the control measure(s) was (were) implemented; and
 - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.
- The information in (6)d. shall be kept separately for the storage piles and coal refuse embankment identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.
- (7) The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following:
- a. The manufacturer's recommended maintenance procedures and the date and time of any maintenance and inspection activities and the results of those activities. Any variance from manufacturer recommendation, if any, shall be noted.
 - b. The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.



- c. The amount and type of coal processed each calendar month.
- d. The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.
- e. Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations, if any, shall be noted.
- f. Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.

CFR Part 60, Subpart Y [40 CFR 60.258(a)]

e) Reporting Requirements

- (1) The permittee shall submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit. It is recommended that the PER is submitted electronically through the Ohio EPA's "e-Business Center: Air Services" although PERs can be submitted via U.S. postal service or can be hand delivered.
- (2) The permittee shall also identify in the PER 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 owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8. The owner or operator who elects to comply with the reduced performance testing provisions of sections 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with section 60.255(d) shall also include information which demonstrates that the control devices are identical.

40 CFR Part 60, Subpart Y [40 CFR 60.258(c)]

- (4) After July 1, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test data to EPA by successfully entering



the data electronically into EPA's WebFIRE data base available at <http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main>. For performance tests that cannot be entered into WebFIRE (*i.e.*, Method 9 of appendix A-4 of this part opacity performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code: D243-01; RTP, NC 27711.

40 CFR Part 60, Subpart Y [40 CFR 60.258(d)]

f) Testing Requirements

(1) Compliance with the Emissions Limitations and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

a. Emissions Limitation:

1.7 tons PM₁₀/year

Applicable Compliance Method:

Compliance with the fugitive PM₁₀ emission limitation above shall be determined by using the emission factor calculated based on equation 1 in Section 13.2.4.3-1, Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 11/06) for load in/load out operations and the emission factor calculated based on equation 4.9, Section 4.1.3, EPA-450/3-38-008, Control of Open Fugitive Dust Sources, 9/1988, for wind erosion. Should further updates occur, the most current equations shall be used.

• The following assumptions were made in calculating PM₁₀ emissions from the storage piles:

○ For load in/load out:

- $EF \text{ (lb/ton)} = k * 0.0032 * (u/5)^{1.3} / (M/2)^{1.4}$
- $k=0.35$ (for PM₁₀)
- $u=10.5$ (mean wind speed)
- $M = 3$ (% moisture content)
- Maximum throughput = 876,000 tons/year
- control efficiency =25%

○ For wind erosion

- $EF \text{ (lb/day/acre)} = 1.7 * (s/1.5) * ((365-p)/235) * (f/15)$
- $s = 9.2$ (silt content of stored material)



- $p = 130$ days (no. of days with >0.01 inch precipitation)
- $f = 26$ (% of time with wind speed >12 mph)
- $A = 1$ acre (total of surface areas of 2 piles)
- control efficiency $\approx 30\%$
- $PM_{10} = 50\%$ of PE

b. Emissions Limitation:

Visible PE shall not exceed 1 minute in any 60-minute observation period for storage piles.

Visible PE shall not exceed 13 minutes in any 60-minute observation period for storage piles.

Applicable Compliance Method:

If required, visible emissions of fugitive dust shall be determined in accordance with U.S. EPA Method 22 of 40 CFR Part 60, Appendix A.

g) Miscellaneous Requirements

- (1) None.



4. F007, material handling

Operations, Property and/or Equipment Description:

Material handling consisting of coal refuse dump Truck unloading, front-end loader loading, and three load/unload conveyors; total throughput is 876,000 T/year

a) 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.

b) **Applicable Emissions Limitations and/or Control Requirements**

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Fugitive particulate matter of 10 microns or less (PM10) shall not exceed 2.19 tons/year. The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [see b)(2)d – i]. The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-08(B) and 40 CFR Part 60, Subpart Y and Subpart A. See b)(2)a. below
b.	OAC rule 3745-31-05(A)(3), as effective 12/01/06	See b)(2)b. below.
c.	OAC rule 3745-17-07(B)(1)	[Visible PE from any fugitive dust source



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		<p>shall not exceed 20percent opacity, as a three-minute average.]</p> <p>The visible PE limitation specified by this rule is less stringent than the visible PE limitation specified by 40 CFR Part 60, Subpart Y.</p>
d.	OAC rule 3745-17-08(B)	<p>The control measures/requirements specified by this rule are less stringent than or as stringent as the control measures/requirements established pursuant to OAC rule 3745-31-05(A)(3).</p> <p>See b)(2)d.- j. below.</p>
e.	40 CFR Part 60, Subpart Y [40 CFR 60.254(b)(1)]	The owner or operator must not cause to be discharged into the atmosphere from the affected facility any gases which exhibit 10 percent (%) opacity or greater.
f.	40 CFR 60.1-19 (40 CFR 60.1(a))	The provisions of Subpart A apply to the owner or operator of any stationary source which contains an affected facility that commenced construction or modification after the date of publication in 40 CFR Part 60 that is applicable to that facility.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulation for NAAQS pollutant emissions less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revision to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limits/control measures no longer apply.
- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to fugitive particulate emissions from this air contaminant



source since the uncontrolled potential to emit for fugitive particulate emissions is less than 10 tons/yr.

- c. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the control measures/requirements based on OAC rule 3745-17-08(B) shall apply to this emissions unit.
- d. The material handling operation(s) that are covered by this permit and subject to the above-mentioned requirements are: refuse dump truck unloading, front-end loader loading, and three load/unload conveyors.
- e. The permittee shall employ reasonably/best available control measures for material handling operations listed above, 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 measures to ensure compliance: maintain sufficient moisture to prevent fugitive dust, treat the coal with water and/or any other suitable dustsuppression chemicals at sufficient treatment frequencies, maintain enclosures, and minimize drop height. The operator shall avoid dragging any front-end loader bucket along the ground. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.
- f. For each material handling operation that is not adequately enclosed, the above-identified control measures 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 measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during the operation of the material handling operations until further observation confirms that use of the control measures is unnecessary.
- g. The permittee shall not overload trucks hauling refuse so as to eliminate spillage, along with maintaining a minimum dump height from refuse bin into trucks, in order to minimize or eliminate the visible emissions of fugitive dust.
- h. The permittee shall continue to maintain covers on all conveyors and the belts shall not be overloaded in order to minimize or eliminate the visible emissions of fugitive dust.
- i. Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rules 3745-17-08(B) and 3745-31-05(A).

c) Operational Restrictions

- (1) None.



d) Monitoring and/or Recordkeeping Requirements

- (1) Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections daily. Inspections shall be performed during representative, normal operating conditions.
- (2) The permittee shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the control measure(s);
 - c. the dates the control measure(s) was (were) implemented; and
 - d. on a calendar quarter basis, the total number of days the control measure(s) was (were) implemented.

The information in d)(2)d. shall be kept separately for each material handling operation identified above, and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

- (3) The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following:
 - a. The manufacturer's recommended maintenance procedures and the date and time of any maintenance and inspection activities and the results of those activities. Any variance from manufacturer recommendation, if any, shall be noted.
 - b. The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.
 - c. The amount and type of coal processed each calendar month.
 - d. The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.
 - e. Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations, if any, shall be noted.
 - f. Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A



copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.

40 CFR Part 60, Subpart Y [40 CFR 60.258(a)]

e) Reporting Requirements

- (1) The permittee shall submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit. It is recommended that the PER is submitted electronically through the Ohio EPA's "e-Business Center: Air Services" although PERs can be submitted via U.S. postal service or can be hand delivered.
- (2) The permittee shall also identify in the PER all 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.
- (3) For the purpose of reports required under section 60.7(c), any owner operator subject to the provisions of this subpart also shall report semiannually periods of excess emissions as follow:
 - a. All 6-minute average opacities that exceed the applicable standard.

40 CFR Part 60, Subpart Y (40 CFR 60.255(b)(3))

- (4) The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8. The owner or operator who elects to comply with the reduced performance testing provisions of sections 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with section 60.255(d) shall also include information which demonstrates that the control devices are identical.

40 CFR Part 60, Subpart Y [40 CFR 60.258(c)]

- (5) After July 1, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test data to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at <http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main>. For performance tests that cannot be entered into WebFIRE (i.e., Method 9 of appendix A-4 of this part opacity



performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code: D243-01; RTP, NC 27711.

40 CFR Part 60, Subpart Y [40 CFR 60.258(d)]

- (6) Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:
- a. construction date (no later than 30 days after such date);
 - b. anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
 - c. actual start-up date (within 15 days after such date); and
 - d. date of performance testing (if required, at least 30 days prior to testing).

Reports are to be sent to:

Ohio Environmental Protection Agency
DAPC - Permit Management Unit
50 West Town Street, Suite 700
P. O. Box 1049
Columbus, Ohio 43216-1049

and

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

f) Testing Requirements

- (1) Compliance with the Emissions Limitation and/or Control Requirements specified in section b) of these terms and conditions shall be determined in accordance with the following methods:

- a. Emissions Limitation:

PM10 shall not exceed 2.19 tons/year

Applicable Compliance Method:

Compliance with fugitive PM10 limitation above shall be determined by using the equation in Section 13.2.4, **Aggregate Handling and Storage Piles**, (revised 11/06, Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1. Should further updates in AP-42 occur, the most current equations for coal processing plants shall be used.



- The following assumption were made in calculating emissions from the material handling operations:
 - For transfer and conveying
 - $EF \text{ (lb/ton)} = k * 0.0032 * (u/5)^{1.3} / (M/2)^{1.4} = 0.00167$
 - $k=0.35$ (for PM10)
 - $u=10.5$ (mean wind speed)
 - $M = 3$ (% moisture content)
 - throughput = 876,000 tons/year
 - no. of conveyor belts = 3
 - no. of transfer points = 3
 - control efficiency =50%

b. Emissions Limitation:

Visible PE shall not exceed 10% opacity, as a six-minute average.

Applicable Compliance Method:

If required, visible PE shall be determined according to USEPA Method 9 of 40 CFR Part 60, Appendix A.

- (2) The permittee shall conduct, or have conducted, emission testing in accordance with the following requirements:
- a. The emission testing shall be conducted within 60 days after achieving the maximum production rate at which the emissions unit will be operated, but not later than 180 days after initial startup of the emissions unit.
 - b. The emission testing shall be conducted in accordance with the requirements as outlined in 40 CFR 60.255 and 60.257(a).
 - c. The emission testing shall be conducted to demonstrate compliance with the allowable visible PE limitation.
 - d. The following test method(s) shall be employed to demonstrate compliance with the allowable visible PE:

Compliance with the visible PE limitation 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”).



Alternative U.S. EPA-approved test methods may be used with prior approval from the Ohio EPA

- e. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.
- f. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).
- g. Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.
- h. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

g) Miscellaneous Requirements

- (1) None.



5. F008, coal processing plant

Operations, Property and/or Equipment Description:

coal processing plant (load in to hopper, crushing, screening, cleaning, and conveyor transfer point)

a) 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.

b) **Applicable Emissions Limitations and/or Control Requirements**

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Fugitive particulate matter of 10 microns or less (PM10) shall not exceed 2.06 tons/year. The permittee shall implement best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [see b(2)d. through b(2)f. below.] The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-08(B) and 40 CFR Part 60, Subpart Y and Subpart A. See b)(2)a. below.
b.	OAC rule 3745-31-05(A), as effective 12/01/06	See b)(2)b. below.



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
c.	OAC rule 3745-17-07(B)	<p>[Visible particulate emissions (PE) shall not exceed 20 percent opacity, as a three-minute average.]</p> <p>The visible PE limitation specified by this rule is less stringent than the limitation specified by 40 CFR Part 60, Subpart Y.</p>
d.	OAC rule 3745-17-08(B)	<p>The control measures/requirements specified by this rule are less stringent than or as stringent as the control measures/requirements established pursuant to OAC rule 3745-31-05(A)(3).</p> <p>See b)(2)c.</p>
e.	40 CFR Part 60, Subpart Y [40 CFR 60.254(b)(1)]	The owner or operator must not cause to be discharged into the atmosphere from the affected facility any gases which exhibit 10 percent (%) opacity or greater.
f.	40 CFR 60.1-19 (40 CFR 60.1(a))	The provisions of Subpart A apply to the owner or operator of any stationary source which contains an affected facility that commenced construction or modification after the date of publication in 40 CFR Part 60 that is applicable to that facility.

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulation for NAAQS pollutant emissions less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revision to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limits/control measures no longer apply.
- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to fugitive particulate emissions from this air contaminant



source since the uncontrolled potential to emit for fugitive particulate emissions is less than 10 tons/yr.

- c. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the control measures/requirements based on OAC rule 3745-17-08(B) shall apply to this emissions unit.
- d. The permittee shall employ best/reasonable available control measures for the coal processing plant operations, for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee shall perform the following control measures to ensure compliance: maintain a 100% wet cleaning, employ water sprays on the screening and crushing operations to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.
- e. For each coal processing plant operation that is not adequately enclosed, the above-identified control measures 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 measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during the operation of the coal processing plant operations until further observation confirms that use of the control measures is unnecessary.
- 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 and/or 3745-17-08(B).

c) Operational Restrictions

- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) Except as otherwise provided in this section, the permittee shall perform inspections of the coal processing plant daily.
- (2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal conditions. 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 shall maintain records of the following information:
 - a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the 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 conditions did not require the control measures.

The information required in Term d)(3)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

- (4) The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following:
 - a. The manufacturer's recommended maintenance procedures and the date and time of any maintenance and inspection activities and the results of those activities. Any variance from manufacturer recommendation, if any, shall be noted.
 - b. The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.
 - c. The amount and type of coal processed each calendar month.
 - d. The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.
 - e. Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations, if any, shall be noted.
 - f. Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.

CFR Part 60, Subpart Y [40 CFR 60.258(a)]

e) Reporting Requirements

- (1) The permittee shall submit an annual Permit Evaluation Report (PER) to the Ohio EPA District Office or Local Air Agency by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit. It is recommended that the PER is submitted electronically through the Ohio EPA's "e-



Business Center: Air Services” although PERs can be submitted via U.S. postal service or can be hand delivered.

- (2) The permittee shall also identify in the PER all 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.
- (3) For the purpose of reports required under section 60.7(c), any owner operator subject to the provisions of this subpart also shall report semiannually periods of excess emissions as follow:
- a. All 6-minute average opacities that exceed the applicable standard.

40 CFR Part 60, Subpart Y (40 CFR 60.255(b)(3))

- (4) The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8. The owner or operator who elects to comply with the reduced performance testing provisions of sections 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with section 60.255(d) shall also include information which demonstrates that the control devices are identical.

40 CFR Part 60, Subpart Y [40 CFR 60.258(c)]

- (5) After July 1, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test data to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at <http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main>. For performance tests that cannot be entered into WebFIRE (*i.e.*, Method 9 of appendix A-4 of this part opacity performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code: D243-01; RTP, NC 27711.

40 CFR Part 60, Subpart Y [40 CFR 60.258(d)]

- (6) Pursuant to the NSPS, the source owner/operator is hereby advised of the requirement to report the following at the appropriate times:
- a. construction date (no later than 30 days after such date);
 - b. anticipated start-up date (not more than 60 days or less than 30 days prior to such date);
 - c. actual start-up date (within 15 days after such date); and



- d. date of performance testing (if required, at least 30 days prior to testing).

Reports are to be sent to:
Ohio Environmental Protection Agency
DAPC - Permit Management Unit
50 West Town Street, Suite 700
P. O. Box 1049
Columbus, Ohio 43216-1049

and

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

f) Testing Requirements

- (1) Compliance with the emission limitations in Term b)(1) shall be determined in accordance with the following methods:

- a. Emissions Limitation:

PM10 shall not exceed 2.06 tons/year

Applicable Compliance Method:

Compliance with fugitive PM10 limitation above shall be determined by using the emission factor in Section 11.19.2, **Crushed Stone and Pulverized Mineral Processing**, (revised 8/04), Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1, and the equation in Section 13.2.4, **Aggregate Handling and Storage Piles**, (revised 11/06), Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1.

Should further updates in AP-42 occur, the most current equations shall be used.

- The following assumption were made in calculating emissions from the coal processing operations:
 - For load in (to hopper, crusher, etc.):
 - $EF \text{ (lb/ton)} = k * 0.0032 * (u/5)^{1.3} / (M/2)^{1.4} = 0.00167$
 - $k=0.35$ (for PM10)
 - $u=10.5$ (mean wind speed)
 - $M = 3$ (% moisture content)
 - Maximum throughput = 876,000 tons/year



- no. of load in points = 1
- control efficiency =50%
- For crushing:
 - EF (lb/ton)= 0.0024
 - No. of crushers = 1
 - Maximum throughput = 876,000 tons/year
 - control efficiency =70%
- For screening:
 - EF (lb/ton)= 0.0087
 - No. of screens = 1
 - Maximum throughput = 876,000 tons/year
 - control efficiency =70%
- For conveyor transfer points:
 - EF (lb/ton)= 0.0011
 - No. of transfer points = 1
 - Maximum throughput = 876,000 tons/year
 - control efficiency =50%
- total PM10 emissions = $0.73*87600*.5$ + $(0.0024*876000*1*.3)$ + $(0.0087*876000*1*.3)$ + $(0.0011*876000*1*.5)$ =2.06 tons/year

b. Emission Limitation:

Visible PE shall not exceed ten percent opacity, as a six-minute average.

Applicable Compliance Method:

If required, visible PE shall be determined in accordance with U.S. EPA Method 9 of 40 CFR Part 60, Appendix A.

- (2) The permittee shall conduct, or have conducted, emission testing in accordance with the following requirements:
- a. The emission testing shall be conducted within 60 days after achieving the maximum production rate at which the emissions unit will be operated, but not later than 180 days after initial startup of the emissions unit.



- b. The emission testing shall be conducted in accordance with the requirements as outlined in 40 CFR 60.255 and 60.257(a).
- c. The emission testing shall be conducted to demonstrate compliance with the allowable visible PE limitation.
- d. The following test method(s) shall be employed to demonstrate compliance with the allowable visible PE:

Compliance with the visible PE limitation 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").

Alternative U.S. EPA-approved test methods may be used with prior approval from the Ohio EPA

- e. The test(s) shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the appropriate Ohio EPA District Office or local air agency.
- f. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the appropriate Ohio EPA District Office or local air agency. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emissions unit operating parameters, the time(s) and date(s) of the test(s), and the person(s) who will be conducting the test(s). Failure to submit such notification for review and approval prior to the test(s) may result in the Ohio EPA District Office's or local air agency's refusal to accept the results of the emission test(s).
- g. Personnel from the appropriate Ohio EPA District Office or local air agency shall be permitted to witness the test(s), examine the testing equipment, and acquire data and information necessary to ensure that the operation of the emissions unit and the testing procedures provide a valid characterization of the emissions from the emissions unit and/or the performance of the control equipment.
- h. A comprehensive written report on the results of the emissions test(s) shall be signed by the person or persons responsible for the tests and submitted to the appropriate Ohio EPA District Office or local air agency within 30 days following completion of the test(s). The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the appropriate Ohio EPA District Office or local air agency.

g) Miscellaneous Requirements

- (1) None.



6. F009, mineral extraction

Operations, Property and/or Equipment Description:

Mineral extraction via excavation of existing coal refuse storage, including grading, bulldozing, and mineral loading operations

a) 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.

b) Applicable Emissions Limitations and/or Control Requirements

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

	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
a.	OAC rule 3745-31-05(A)(3), as effective 11/30/01	Fugitive particulate matter of 10 microns or less (PM10) shall not exceed 1.09 tons/year. No visible particulate emissions(PE), except for one minute during any 60-minute period. The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust [see b)(2)e, f and g]. The requirements of this rule also include compliance with the requirements of OAC rule 3745-17-08(B) and 40 CFR Part 60, Subpart Y and Subpart A.



	Applicable Rules/Requirements	Applicable Emissions Limitations/Control Measures
		See b)(2)a. below
b.	OAC rule 3745-31-05(A)(3), as effective 12/01/06	See b)(2)b. below.
c.	OAC rule 3745-31-07(B)(1)	<p>[Visible PE shall not exceed 20 percent opacity, as a three-minute average.] The emission limitation specified by this rule is less stringent than the emission limitation established pursuant to OAC rule 3745-31-05(A)(3).</p> <p>See b)(2)c.</p>
d.	OAC rule 3745-31-08(B)	<p>The control measures/requirements specified by this rule are less stringent than or as stringent as the control measures/requirements established pursuant to OAC rule 3745-31-05(A)(3).</p> <p>See b)(2)e., f., and g. below.</p> <p>See b)(2)d.</p>
e.	40 CFR Part 60, Subpart Y	<p>The owner or operator must prepare and operate in accordance with a submitted fugitive coal dust emissions control plan that is appropriate for the site conditions as specified in paragraphs (c)(1) through (6) of 40 CFR Part 60, Subpart Y [40 CFR 60.254(c)(1) through (6)].</p> <p>See c)(1) through c)(6) below.</p>

(2) Additional Terms and Conditions

- a. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001, in this permit. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform to ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulation for NAAQS pollutant emissions less than ten tons per year. However, that rule revision has not yet been approved by U.S. EPA as a revision to Ohio's State Implementation Plan (SIP). Therefore, until the SIP revision occurs and the U.S. EPA approves the revision to OAC rule 3745-31-05, the requirement to satisfy BAT still exists as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05, then these emission limits/control measures no longer apply.



- b. This rule paragraph applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the SIP.

The Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3) do not apply to fugitive particulate emissions from this air contaminant source since the uncontrolled potential to emit for fugitive particulate emissions is less than 10 tons/yr.

- c. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the limitation, based on OAC rule 3745-17-07(B) [i.e., 20% opacity, as a 3-minute average] shall apply to this emissions unit.
- d. Once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan, the control measures/requirements based on OAC rule 3745-17-08(B) shall apply to this emissions unit.
- e. The permittee shall employ reasonably/best available control measures on all the mineral extraction operations (mineral loading, bulldozing and grading), 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 maintain sufficient moisture to prevent fugitive dust or to treat the coal refuse with water and/or any other suitable dust suppression chemicals at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other equally-effective control measures to ensure compliance.
- f. The above-mentioned control measure(s) shall be employed for all the mineral extraction operations (mineral loading, bulldozing and grading) if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measures are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measures shall continue during the operation of the material handling operations until further observation confirms that use of the control measures is unnecessary. 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.
- g. 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 3745-17-08(B).

c) Operational Restrictions

- (1) The fugitive coal dust emissions control plan must identify and describe the control measures the owner or operator will use to minimize fugitive coal dust emissions from each open storage pile.



- (2) For open coal storage piles, the fugitive coal dust emissions control plan must require that one or more of the following control measures be used to minimize to the greatest extent practicable fugitive coal dust: Locating the source inside a partial enclosure, installing and operating a water spray or fogging system, applying appropriate chemical dust suppression agents on the source (when the provisions of paragraph c)(6) of this section are met), use of a wind barrier, compaction, or use of a vegetative cover. The owner or operator must select, for inclusion in the fugitive coal dust emissions control plan, the control measure or measures listed in this paragraph that are most appropriate for site conditions. The plan must also explain how the measure or measures selected are applicable and appropriate for site conditions. In addition, the plan must be revised as needed to reflect any changing conditions at the source.
- (3) Any owner or operator of an affected facility that is required to have a fugitive coal dust emissions control plan may petition the Administrator to approve, for inclusion in the plan for the affected facility, alternative control measures other than those specified in paragraph c)(2) of this section as specified in paragraphs c)(3)a through d of this section.
 - a. The petition must include a description of the alternative control measures, a copy of the fugitive coal dust emissions control plan for the affected facility that includes the alternative control measures, and information sufficient for EPA to evaluate the demonstrations required by paragraph c)(3)b of this section.
 - b. The owner or operator must either demonstrate that the fugitive coal dust emissions control plan that includes the alternate control measures will provide equivalent overall environmental protection or demonstrate that it is either economically or technically infeasible for the affected facility to use the control measures specifically identified in paragraph c)(2).
 - c. While the petition is pending, the owner or operator must comply with the fugitive coal dust emissions control plan including the alternative control measures submitted with the petition. Operation in accordance with the plan submitted with the petition shall be deemed to constitute compliance with the requirement to operate in accordance with a fugitive coal dust emissions control plan that contains one of the control measures specifically identified in paragraph c)(2) of this section while the petition is pending.
 - d. If the petition is approved by the Administrator, the alternative control measures will be approved for inclusion in the fugitive coal dust emissions control plan for the affected facility. In lieu of amending this subpart, a letter will be sent to the facility describing the specific control measures approved. The facility shall make any such letters and the applicable fugitive coal dust emissions control plan available to the public. If the Administrator determines it is appropriate, the conditions and requirements of the letter can be reviewed and changed at any point.
- (4) The owner or operator must submit the fugitive coal dust emissions control plan to the Administrator or delegated authority as specified in paragraphs c)(4)a and c)(4)b of this section.



- a. The plan must be submitted to the Administrator or delegated authority prior to startup of the new, reconstructed, or modified affected facility, or 30 days after the effective date of this rule, whichever is later.
 - b. The plan must be revised as needed to reflect any changing conditions at the source. Such revisions must be dated and submitted to the Administrator or delegated authority before a source can operate pursuant to these revisions. The Administrator or delegated authority may also object to such revisions as specified in paragraph c)(5) of this section.
- (5) The Administrator or delegated authority may object to the fugitive coal dust emissions control plan as specified in paragraphs c)(5)a and c)(5)b of this section.
- a. The Administrator or delegated authority may object to any fugitive coal dust emissions control plan that it has determined does not meet the requirements of paragraphs c)(1) and c)(2) of this section.
 - b. If an objection is raised, the owner or operator, within 30 days from receipt of the objection, must submit a revised fugitive coal dust emissions control plan to the Administrator or delegated authority. The owner or operator must operate in accordance with the revised fugitive coal dust emissions control plan. The Administrator or delegated authority retain the right, under paragraph c)(5) of this section, to object to the revised control plan if it determines the plan does not meet the requirements of paragraphs c)(1) and c)(2) of this section.
- (6) Where appropriate chemical dust suppression agents are selected by the owner or operator as a control measure to minimize fugitive coal dust emissions where:
- a. only chemical dust suppressants with Occupational Safety and Health Administration (OSHA)-compliant material safety data sheets (MSDS) are to be allowed;
 - b. the MSDS must be included in the fugitive coal dust emissions control plan; and
 - c. the owner or operator must consider and document in the fugitive coal dust emissions control plan the site-specific impacts associated with the use of such chemical dust suppressants.
- d) **Monitoring and/or Recordkeeping Requirements**
- (1) Except as otherwise provided in this section, the permittee shall perform daily inspections of the mineral extraction operations (mineral loading, bulldozing and grading).
 - (2) The purpose of the inspections is to determine the need for implementing the above-mentioned control measures. The inspections shall be performed during representative, normal conditions. 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 shall maintain records of the following information:
- a. the date and reason any required inspection was not performed;
 - b. the date of each inspection where it was determined by the permittee that it was necessary to implement the 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 conditions did not require the control measures.

The information required in Term d)(3)d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

- (4) The owner or operator of a coal preparation and processing plant that commenced construction, reconstruction, or modification after April 28, 2008, shall maintain in a logbook (written or electronic) on-site and make it available upon request. The logbook shall record the following:
- a. The manufacturer's recommended maintenance procedures and the date and time of any maintenance and inspection activities and the results of those activities. Any variance from manufacturer recommendation, if any, shall be noted.
 - b. The date and time of periodic coal preparation and processing plant visual observations, noting those sources with visible emissions along with corrective actions taken to reduce visible emissions. Results from the actions shall be noted.
 - c. The amount and type of coal processed each calendar month.
 - d. The amount of chemical stabilizer or water purchased for use in the coal preparation and processing plant.
 - e. Monthly certification that the dust suppressant systems were operational when any coal was processed and that manufacturer's recommendations were followed for all control systems. Any variance from the manufacturer's recommendations, if any, shall be noted.
 - f. Monthly certification that the fugitive coal dust emissions control plan was implemented as described. Any variance from the plan, if any, shall be noted. A copy of the applicable fugitive coal dust emissions control plan and any letters from the Administrator providing approval of any alternative control measures shall be maintained with the logbook. Any actions, e.g. objections, to the plan and any actions relative to the alternative control measures, e.g. approvals, shall be noted in the logbook as well.

CFR Part 60, Subpart Y [40 CFR 60.258(a)]



e) Reporting Requirements

- (1) Annual Permit Evaluation Report (PER) forms will be mailed to the permittee at the end of the reporting period specified in the Authorization section of this permit. The permittee shall submit the PER in the form and manner provided by the director by the due date identified in the Authorization section of this permit. The permit evaluation report shall cover a reporting period of no more than twelve-months for each air contaminant source identified in this permit.
- (2) The permittee shall also identify in the PER all 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.
- (3) The owner or operator of an affected facility shall submit the results of initial performance tests to the Administrator or delegated authority, consistent with the provisions of section 60.8. The owner or operator who elects to comply with the reduced performance testing provisions of sections 60.255(c) or (d) shall include in the performance test report identification of each affected facility that will be subject to the reduced testing. The owner or operator electing to comply with section 60.255(d) shall also include information which demonstrates that the control devices are identical.

40 CFR Part 60, Subpart Y [40 CFR 60.258(c)]

- (4) After July 1, 2011, within 60 days after the date of completing each performance evaluation conducted to demonstrate compliance with this subpart, the owner or operator of the affected facility must submit the test data to EPA by successfully entering the data electronically into EPA's WebFIRE data base available at <http://cfpub.epa.gov/oarweb/index.cfm?action=fire.main>. For performance tests that cannot be entered into WebFIRE (*i.e.*, Method 9 of appendix A-4 of this part opacity performance tests) the owner or operator of the affected facility must mail a summary copy to United States Environmental Protection Agency; Energy Strategies Group; 109 TW Alexander DR; mail code: D243-01; RTP, NC 27711.

40 CFR Part 60, Subpart Y [40 CFR 60.258(d)]

f) Testing Requirements

- (1) Compliance with the emission limitations in Term b)(1) shall be determined in accordance with the following methods:



a. Emission Limitations:

PM10 emissions shall not exceed 1.09 tons/year

Applicable Compliance Method:

Applicable Compliance Method:

Compliance with the fugitive PM10 emission limitation above shall be determined by using the emission factor calculated based on equation 1 in Section 13.2.4.3-1, Compilation of Air Pollutant Emission Factors, AP-42, Fifth Edition, Volume 1 (revised 11/06). Should further updates occur, the most current equations shall be used.

- The following assumption were made in calculating PM10 emissions from the storage piles:
 - $EF \text{ (lb/ton)} = k * 0.0032 * (u/5)^{1.3} / (M/2)^{1.4} = 0.003522$
 - $k=0.35$ (for PM10)
 - $u=10.5$ (mean wind speed)
 - $M = 3$ (% moisture content)
 - Maximum throughput = 876,000 tons/year
 - Number of transfer points = 3
 - control efficiency =50%

b. Emission Limitation:

Visible PE shall not exceed 20 percent opacity, as a three-minute average.

Applicable Compliance Method:

If required, visible PE shall be determined in accordance with U.S. EPA Method 9 of 40 CFR Part 60, Appendix A.

c. Emission Limitation:

No visible PE, except for one minute during any 60-minute period.

Applicable Compliance Method:

If required, visible PE shall be determined in accordance with U.S. EPA Method 22 of 40 CFR Part 60, Appendix A.

g) Miscellaneous Requirements

- (1) None.