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## Permit to Install Terms and Conditions

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Application No. 06-985

APS Premise No. 0682000007

Permit Fee: \$500.00

Name of Facility: Jaymar Coal Company

Person to Contact: Robert M. Haskins

Address: Route 1  
Cheshire, Ohio 45620

Location of proposed source(s): West of State Route 324 on State  
Route 160, Clinton, Ohio

Description of proposed source(s): Coal preparation plant and  
associated wastewater treatment  
facilities

Date of Issuance: January 9, 1985

Effective Date: January 9, 1985

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

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Substantial construction for installation must take place within eighteen months of the effective date of this permit. This deadline may be extended by up to twelve months, if application is made to the Director no less than sixty days before the expiration of this permit and the party shows good cause for any such extension.

The Director of the Ohio Environmental Protection Agency, or his authorized representatives, may enter upon the premises of the above named applicant during construction and operation at any reasonable time for the purpose of making inspections, conducting tests, examining records or reports pertaining to the construction, modification or installation of the above described source of environmental pollutants.

The proposed source shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources are inadequate or cannot meet applicable standards.

The specified permit fee must be remitted within 15 days of the effective date of this permit to install.

This permit shall apply only to the source(s) shown on the application approved by the Ohio Environmental Protection Agency.

A report, which provides a technical appraisal of the results obtained during normal operating conditions of the new facilities shall be submitted to the appropriate District Office of the Ohio EPA or Local Air Agency no later than three months after the new facilities are placed into operation.

Source(s) described in this Permit to Install and which are listed below, are subject to all applicable provisions of the New Source Performance Standards as promulgated by the United States Environmental Protection Agency, 40 CFR Part 60, and as delegated to the Ohio Environmental Protection Agency and are federally enforceable:

Coal handling and storage

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

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1. Construction date
2. Anticipated start-up date (not more than 60 days or less than 30 prior to such date)
3. Actual start-up date (within 15 days after such date)
4. Date of performance testing

Reports are to be sent to:

Ohio Environmental Protection Agency  
Division of Authorization & Compliance  
361 East Broad Street  
Columbus, Ohio 43215

A copy of each of the above shall also be forwarded to:

United States Environmental Protection Agency  
Region V  
Air Enforcement Branch  
230 South Dearborn Street  
Chicago, Illinois 60604

OAC rule 3745-31-05(A)(3) requires the application of Best Available Technology (BAT) on all new sources. For this installation, BAT requires the use of control technology to eliminate or minimize emissions to the equivalent level of emission reduction that is required by OAC rule 3745-17-08(B). If this source does not conform to the standards described above additional control measures or techniques will be required.

A. The unpaved road segments and unpaved parking areas indicated in Appendix M1-1 submitted on May 19, 1982 which are covered by this Permit to Install are subject to the requirements of OAC Rule 3745-31-05.

B. Control Requirements

1. Unpaved Road Segments

All unpaved road segments shall, at a minimum during periods of dry weather, be sprayed twice each morning and twice each afternoon every day when the facility is in operation to minimize or eliminate at all times, visible emissions of fugitive dust generated by vehicular traffic.

2. Unpaved Parking Areas

All unpaved parking areas shall at a minimum during periods of dry weather, be sprayed with water twice per day when the facility is in operation in order to minimize or eliminate, at all times, visible emissions of fugitive dust generated by vehicular traffic.

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3. All Unpaved Road Segments and Unpaved Parking Areas

Jaymar Coal Company shall post speed limit signs on the most heavily travelled unpaved road segments and unpaved parking areas. The speed limit for all unpaved road segments and unpaved parking areas shall not exceed 10 miles per hour.

C. Recordkeeping Requirements

Jaymar Coal Company shall maintain daily records for each unpaved road segment, paved road segment and parking lot which includes the following information:

1. The name of each parking lot or road segment.
2. The date each parking lot or road segment was treated and/or cleaned.
3. The manner in which the parking lot or road segment was treated.
4. The application rate of water and any chemical additives.
5. The name of the equipment operator responsible for the treatment, and
6. The general weather conditions for each day.

These records shall be kept for a period of two (2) years and shall be available for inspection, upon request by personnel from the Ohio EPA.

Construction of any wastewater treatment facilities shall be completed and ready for approved operation before sewage or other wastewater is discharged to the facilities.

The owner shall be responsible for the proper operation and maintenance of the wastewater treatment facilities.

All coal refuse and sludge dredged from the wastewater treatment facilities shall be disposed of only in areas developed for this purpose and approved by the Ohio Environmental Protection Agency.

All coal refuse and sludge disposal in active strip mine areas shall have prior approval of the Ohio Department of Natural Resources, Division of Reclamation, and shall be implemented in compliance with all applicable rules and regulations.

All diversion ditches and settling ponds shall be cleaned on a regular basis to insure proper operation of the wastewater treatment facilities.