



State of Ohio Environmental Protection Agency

Street Address:

Lazarus Gov. Center
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Columbus, OH 43215

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Mailing Address:

Lazarus Gov. Center
P.O. Box 1049
Columbus, OH 43216-1049

**RE: FINAL PERMIT TO INSTALL
TUSCARAWAS COUNTY
Application No: 06-07271**

CERTIFIED MAIL

	TOXIC REVIEW
	PSD
	SYNTHETIC MINOR
	CEMS
	MACT
	NSPS
	NESHAPS
	NETTING
	MAJOR NON-ATTAINMENT
	MODELING SUBMITTED
	GASOLINE DISPENSING FACILITY

DATE: 8/12/2003

Tusky Coal LLC
John McNab
3 Kilsyth Court
St. Clairsville, OH 43950

Enclosed please find an Ohio EPA Permit to Install which will allow you to install the described source(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, I urge you to read it carefully.

The Ohio EPA is urging companies to investigate pollution prevention and energy conservation. Not only will this reduce pollution and energy consumption, but it can also save you money. If you would like to learn ways you can save money while protecting the environment, please contact our Office of Pollution Prevention at (614) 644-3469.

You are hereby notified that this action by the Director is final and may be appealed to the Ohio Environmental Review Appeals Commission pursuant to Chapter 3745.04 of the Ohio Revised Code. The appeal must be in writing and set forth the action complained of and the grounds upon which the appeal is based. It must be filed within thirty (30) days after the notice of the Directors action. A copy of the appeal must be served on the Director of the Ohio Environmental Protection Agency within three (3) days of filing with the Commission. An appeal may be filed with the Environmental Review Appeals Commission at the following address:

Environmental Review Appeals Commission
309 South Fourth Street, Room 222
Columbus, Ohio 43215

Sincerely,

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

cc: USEPA

SEDO



**Permit To Install
Terms and Conditions**

**Issue Date: 8/12/2003
Effective Date: 8/12/2003**

FINAL PERMIT TO INSTALL 06-07271

Application Number: 06-07271
APS Premise Number: 0679000306
Permit Fee: **\$1200**
Name of Facility: Tusky Coal LLC
Person to Contact: John McNab
Address: 3 Kilsyth Court
St. Clairsville, OH 43950

Location of proposed air contaminant source(s) [emissions unit(s)]:
**Co. Rd. 37
Dennison, Ohio**

Description of proposed emissions unit(s):
Roadways and parking material handling storage piles and coal processing.

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

Part I - GENERAL TERMS AND CONDITIONS

A. Permit to Install General Terms and Conditions

1. Compliance Requirements

The emissions unit(s) identified in this Permit to Install shall remain in full compliance with all applicable State laws and regulations and the terms and conditions of this permit.

2. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a. Reports of any required monitoring and/or recordkeeping information shall be submitted to the appropriate Ohio EPA District Office or local air agency.
- b. Except as otherwise may be provided in the terms and conditions for a specific emissions unit, quarterly written reports of (a) any deviations (excursions) from emission limitations, operational restrictions, and control device operating parameter limitations that have been detected by the testing, monitoring, and recordkeeping requirements specified in this permit, (b) the probable cause of such deviations, and (c) any corrective actions or preventive measures which have been or will be taken, shall be submitted to the appropriate Ohio EPA District Office or local air agency. If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report, which states that no deviations occurred during that quarter. The reports shall be submitted quarterly, i.e., by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. (These quarterly reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

3. Records Retention Requirements

Each record of any monitoring data, testing data, and support information required pursuant to this permit shall be retained for a period of five years from the date the record was created. Support information shall include, but not be limited to, all calibration and maintenance records and all original strip-chart recordings for continuous monitoring instrumentation, and copies of all reports required by this permit. Such records may be maintained in computerized form.

4. Inspections and Information Requests

The Director of the Ohio EPA, or an authorized representative of the Director, may, subject to the safety requirements of the permittee and without undue delay, enter upon the premises of this source at any reasonable time for purposes of making inspections, conducting tests, examining records or reports pertaining to any emission of air contaminants, and determining compliance with any applicable State air pollution laws and regulations and the terms and conditions of this permit. The permittee shall furnish to the Director of the Ohio EPA, or an authorized representative of the Director, upon receipt of a written request and within a reasonable time, any information that may

be requested to determine whether cause exists for modifying, reopening or revoking this permit or to determine compliance with this permit. Upon verbal or written request, the permittee shall also furnish to the Director of the Ohio EPA, or an authorized representative of the Director, copies of records required to be kept by this permit.

5. Scheduled Maintenance/Malfunction Reporting

Any scheduled maintenance of air pollution control equipment shall be performed in accordance with paragraph (A) of OAC rule 3745-15-06. The malfunction of any emissions units or any associated air pollution control system(s) shall be reported to the appropriate Ohio EPA District Office or local air agency in accordance with paragraph (B) of OAC rule 3745-15-06. Except as provided in that rule, any scheduled maintenance or malfunction necessitating the shutdown or bypassing of any air pollution control system(s) shall be accompanied by the shutdown of the emissions unit(s) that is (are) served by such control system(s).

6. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The appropriate Ohio EPA District Office or local air agency must be notified in writing of any transfer of this permit.

7. Air Pollution Nuisance

The air contaminants emitted by the emissions units covered by this permit shall not cause a public nuisance, in violation of OAC rule 3745-15-07.

8. Termination of Permit to Install

This Permit to Install shall terminate within eighteen months of the effective date of the Permit to Install if the owner or operator has not undertaken a continuing program of installation or modification or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation or modification. This deadline may be extended by up to 12 months if application is made to the Director within a reasonable time before the termination date and the party shows good cause for any such extension.

9. Construction of New Sources(s)

The proposed emissions unit(s) shall be constructed in strict accordance with the plans and application submitted for this permit to the Director of the Ohio Environmental Protection Agency. There may be no deviation from the approved plans without the express, written approval of the Agency. Any deviations from the approved plans or the above conditions may lead to such sanctions

and penalties as provided under Ohio law. Approval of these plans does not constitute an assurance that the proposed facilities will operate in compliance with all Ohio laws and regulations. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed sources cannot meet the requirements of this permit or cannot meet applicable standards.

If the construction of the proposed emissions unit(s) has already begun or has been completed prior to the date the Director of the Environmental Protection Agency approves the permit application and plans, the approval does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the approved plans. The action of beginning and/or completing construction prior to obtaining the Director's approval constitutes a violation of OAC rule 3745-31-02. Furthermore, issuance of the Permit to Install does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Approval of the plans in any case is not to be construed as an approval of the facility as constructed and/or completed. Moreover, issuance of the Permit to Install is not to be construed as a waiver of any rights that the Ohio Environmental Protection Agency (or other persons) may have against the applicant for starting construction prior to the effective date of the permit. Additional facilities shall be installed upon orders of the Ohio Environmental Protection Agency if the proposed facilities cannot meet the requirements of this permit or cannot meet applicable standards.

10. Public Disclosure

The facility is hereby notified that this permit, and all agency records concerning the operation of this permitted source, are subject to public disclosure in accordance with OAC rule 3745-49-03.

11. Applicability

This Permit To Install is applicable only to the emissions unit(s) identified in the Permit To Install. Separate Permit To Install for the installation or modification of any other emissions unit(s) are required for any emissions unit for which a Permit To Install is required.

12. Best Available Technology

As specified in OAC Rule 3745-31-05, all new sources must employ Best Available Technology (BAT). Compliance with the terms and conditions of this permit will fulfill this requirement.

13. Source Operation and Operating Permit Requirements After Completion of Construction

This facility is permitted to operate each source described by this Permit to Install for a period of up to one year from the date the source commenced operation. This permission to operate is granted only if the facility complies with all requirements contained in this permit and all applicable air pollution laws, regulations, and policies. Pursuant to OAC Chapter 3745-35, the permittee shall submit a complete operating permit application within ninety (90) days after commencing operation of the emissions unit(s) covered by this permit.

14. Construction Compliance Certification

The applicant shall provide Ohio EPA with a written certification (see enclosed form) that the facility has been constructed in accordance with the Permit to Install application and the terms and conditions of the Permit to Install. The certification shall be provided to Ohio EPA upon completion of construction but prior to startup of the source.

15. Fees

The permittee shall pay fees to the Director of the Ohio EPA in accordance with ORC section 3745.11 and OAC Chapter 3745-78. The permittee shall pay all applicable Permit to Install fees within 30 days after the issuance of this Permit to Install.

B. Permit to Install Summary of Allowable Emissions

The following information summarizes the total allowable emissions, by pollutant, based on the individual allowable emissions of each air contaminant source identified in this permit.

SUMMARY (for informational purposes only)
TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS

<u>Pollutant</u>	<u>Tons Per Year</u>
PM	17.7

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
F001 - Unpaved roads and parking areas.	OAC rule 3745-31-05(A)(3)	<p>There shall be no visible particulate emissions except for 3 minutes during any 60-minute period.</p> <p>Particulate emissions (PE) shall not exceed 4.6 TPY.</p> <p>The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.b through A.2.g).</p>

2. Additional Terms and Conditions

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

unpaved roadways:

Roadways A, B and C, as shown on map included with PTI application.

unpaved parking areas:

Parking areas A, B and C, as shown on map included with PTI application.

- 2.b The permittee shall employ best available control measures on all unpaved roadways and parking areas for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's permit application, the permittee has

committed to use surface improvements, implement a speed reduction to a 5 mph limit, and treat the unpaved roadways and parking areas with water at sufficient treatment frequencies to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.

- 2.c 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 an unpaved roadway or parking area that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements. Implementation of any control measure may be suspended if unsafe or hazardous driving conditions would be created by its use.
- 2.d 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 using 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 a visible emission limitation of no visible particulate emissions except for one minute during any 60-minute period.
- 2.e The permittee shall promptly remove, in such a manner as to minimize or prevent resuspension, earth and/or other material from paved streets onto which such material has been deposited by trucking or earth moving equipment or erosion by water or other means.
- 2.f Open-bodied vehicles transporting materials likely to become airborne shall have such materials covered at all times if the control measure is necessary for the materials being transported.
- 2.g Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.

B. Operational Restrictions

None.

C. Monitoring and/or Recordkeeping Requirements

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

unpaved roadways

All

minimum inspection frequency

Daily

unpaved parking areas

All

minimum inspection frequency

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 3.d. shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.

2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

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

- a. Emission Limitation:

No visible particulate emissions except for 3 minutes during any 60-minute period

Compliance Method:

Compliance with the emission limitation for the unpaved roadways and parking areas identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources," as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(d) of OAC rule 3745-17-03.

- b. Emission Limitation:

PE shall not exceed 4.6 tons/yr

Compliance Method:

Compliance shall be determined through a calculation of fugitive emissions using AP-42 Section 13.2.2, Equation 1 (09/98), as follows:

$$[k(s/12)^a (W/3)^b / M/0.2^c] (VMT)(100 - \text{control efficiency} / 100)(0.0005 \text{ ton/lb})$$

For this application, $k = 10$, $a = 0.8$, $b = 0.5$, $c = 0.4$, $s = 5.1$, $W = 28.6$, and $M = 0.6$. $VMT = 9170$.

Control efficiency for wet suppression, surface improvements and 5 mph speed limit = 90%.

F. Miscellaneous Requirements

None.

applicable requirements. In accordance with the permittee's permit application, the permittee has committed to perform the following control measure(s) to ensure compliance:

<u>material handling operation(s)</u>	<u>control measure(s)</u>
all conveyors and transfer points	apply sufficient chemical dust suppressant at the unloading station to control dust emissions from all subsequent conveyors and transfer points

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

- 2.c For each material handling operation that is not adequately enclosed, the above-identified control measure(s) shall be implemented if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) is (are) necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during the operation of the material handling operation(s) until further observation confirms that use of the control measure(s) is unnecessary.
- 2.d Implementation of the above-mentioned control measure(s) in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

B. Operational Restrictions

None.

C. Monitoring and/or Recordkeeping Requirements

- 1. Except as otherwise provided in this section, for material handling operations that are not adequately enclosed, the permittee shall perform inspections of such operations in accordance with the following minimum frequencies:

<u>material handling operation(s)</u>	<u>minimum inspection frequency</u>
all conveyors and transfer points	Daily

- 2. The above-mentioned inspections shall be performed during representative, normal operating conditions.
- 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 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 3.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.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency; and
 - b. each instance when a control measure, that was to be performed as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

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

- a. Emission Limitation:

The owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater

Compliance Method:

Compliance with the visible emission limitations for the material handling operations identified above shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996.

- b. Emission Limitation:

Particulate emissions shall not exceed 3.2 tons/yr

Compliance Method:

Compliance shall be determined through use of AP-42 Chapter 13.2.4, Equation 1 (01/95) for each conveyor and transfer point as follows:

$$[k(0.0032)(U/5)^{1.3} / (M/2)^{1.4}]$$

where: k = 0.074, U = 8.7, M = 4.8.

2. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
 - a. The emission testing shall be conducted within 180 days of startup of the facility (pursuant to 40 CFR 60.8).
 - b. The emission testing shall be conducted to demonstrate compliance with the allowable visible emissions limit.
 - c. 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 Ohio EPA Southeast District Office.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA Southeast District Office. 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 Southeast District Office's refusal to accept the results of the emission test(s).

Personnel from the Ohio EPA Southeast District Office 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.

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 Ohio EPA Southeast District Office 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 Ohio EPA Southeast District Office.

F. Miscellaneous Requirements

None.

PART II - SPECIAL TERMS AND CONDITIONS FOR SPECIFIC EMISSIONS UNIT(S)

A. Applicable Emissions Limitations and/or Control Requirements

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

<u>Operations, Property, and/or Equipment</u>	<u>Applicable Rules/Requirements</u>	<u>Applicable Emissions Limitations/Control Measures</u>
F003 - Load-in and load-out of storage piles (see Section A.2.a for identification of storage piles)	OAC rule 3745-31-05(A)(3)	There shall be no visible particulate emissions except for one minute in any hour. The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.b, A.2.c and A.2.f).
Wind erosion from storage piles (see Section A.2.a for identification of storage piles)	OAC rule 3745-31-05(A)(3)	There shall be no visible particulate emissions except for one minute in any hour. The permittee shall employ best available control measures that are sufficient to minimize or eliminate visible emissions of fugitive dust (see Sections A.2.d through A.2.f).
Load-in and load-out of storage piles, and wind erosion from storage piles	OAC rule 3745-31-05(A)(3)	Particulate emissions shall not exceed 0.3 tons/yr

2. Additional Terms and Conditions

- 2.a The storage piles that are covered by this permit and subject to the above-mentioned requirements are listed below:

- i. clean coal pile;
- ii. < 3/8 inch coal pile;
- iii. reject pile; and

iv. coal fines pile.

- 2.b** The permittee shall employ best available control measures on all load-in and load-out operations associated with the storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. The permittee shall minimize drop heights and ensure that an adequate moisture content is maintained in order to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.c** The above-mentioned control measure(s) shall be employed for each load-in and load-out operation of each storage pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Any required implementation of the control measure(s) shall continue during any such operation until further observation confirms that use of the measure(s) is unnecessary.
- 2.d** The permittee shall employ best available control measures for wind erosion from the surfaces of all storage piles for the purpose of ensuring compliance with the above-mentioned applicable requirements. The permittee shall minimize storage pile heights and maintain coal moisture content in order to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing other control measures to ensure compliance.
- 2.e** The above-mentioned control measure(s) shall be employed for wind erosion from each pile if the permittee determines, as a result of the inspection conducted pursuant to the monitoring section of this permit, that the control measure(s) are necessary to ensure compliance with the above-mentioned applicable requirements. Implementation of the control measure(s) shall not be necessary for a storage pile that is covered with snow and/or ice or if precipitation has occurred that is sufficient for that day to ensure compliance with the above-mentioned applicable requirements.
- 2.f** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the requirements of OAC rule 3745-31-05.

B. Operational Restrictions

None.

C. Monitoring and/or Recordkeeping Requirements

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

storage pile identification

minimum load-in inspection frequency

The information required in 6.d. shall be kept separately for (i) the load-in operations, (ii) the load-out operations, and (iii) the pile surfaces (wind erosion), and shall be updated on a calendar quarter basis within 30 days after the end of each calendar quarter.

D. Reporting Requirements

1. The permittee shall submit deviation reports that identify any of the following occurrences:
 - a. each day during which an inspection was not performed by the required frequency, excluding an inspection which was not performed due to an exemption for snow and/or ice cover or precipitation; and
 - b. each instance when a control measure, that was to be implemented as a result of an inspection, was not implemented.
2. The deviation reports shall be submitted in accordance with the reporting requirements of the General Terms and Conditions of this permit.

E. Testing Requirements

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

- a. Emission Limitation:

No visible particulate emissions except for one minute in any hour

Compliance Method:

Compliance with the visible emission limitations for the storage piles identified above shall be determined in accordance with Test Method 22 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996, and the modifications listed in paragraphs (B)(4)(a) through (B)(4)(c) of OAC rule 3745-17-03.

- b. Emission Limitation:

Particulate emissions shall not exceed 0.3 tons/yr

Compliance Method:

Compliance shall be determined through use of AP-42 Chapter 13.2.4, Equation 1 (01/95) as follows:

$$[k(0.0032)(U/5)^{1.3} / (M/2)^{1.4}] \text{ (tons coal stored/yr)(100 - control efficiency} / 100)(0.0005 \text{ ton/lb)}$$

where: $k = 0.074$, $U = 8.7$, $M = 4.8$.

Control efficiency for water application = 70%.

F. Miscellaneous Requirements

None.

40 CFR 60 subpart Y
(40 CFR 60.250 - 60.254)

The owner or operator shall not cause to be discharged into the atmosphere from any pneumatic coal cleaning equipment, gases which contain particulate matter in excess of 0.018 gr/dscf or which exhibit 10 percent opacity or greater.

PE shall not exceed 7.3 tons/yr.

2. Additional Terms and Conditions

- 2.a** The permittee shall employ best available control measures on the coal crushing, sizing and screening operations for the purpose of ensuring compliance with the above-mentioned applicable requirements. In accordance with the permittee's application, the permittee shall maintain sufficient moisture content of the coal to ensure compliance. Nothing in this paragraph shall prohibit the permittee from employing additional measures to ensure compliance.
- 2.b** Implementation of the above-mentioned control measures in accordance with the terms and conditions of this permit is appropriate and sufficient to satisfy the best available technology requirements of OAC rule 3745-31-05.

B. Operational Restrictions

None.

C. Monitoring and/or Recordkeeping Requirements

1. The permittee shall perform daily checks while the equipment is in operation for any visible PE from the fabric filter exhaust, or any visible fugitive PE from the coal crushing, sizing and screening operations. The presence or absence of any visible emissions from the fabric filter exhaust, and/or the coal crushing, sizing and screening operations shall be noted in an operations log. If any visible emissions are observed, corrective actions shall be taken to eliminate the visible emissions and these actions shall also be noted in the operations log.

D. Reporting Requirements

1. The permittee shall submit reports which (a) identify all days during which any visible particulate emissions were observed from the baghouse exhaust, or the coal crushing, sizing and screening operations, and (b) describe the corrective actions taken to eliminate the visible particulate emissions.

The reports shall be submitted on:

- a. July 15 and shall cover the period from January 1 until June 30 for each calendar year.
- b. January 15 and shall cover the period from July 1 until December 31 for each calendar year.

If no visible PE are observed during a given period, the permittee shall submit a report which states that no visible PE were observed during that period. (These reports shall exclude deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06.)

E. Testing Requirements

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

- a. Emission limitation:

The owner or operator shall not cause to be discharged into the atmosphere from any coal processing and conveying equipment, coal storage system, or coal transfer and loading system processing coal, gases which exhibit 20 percent opacity or greater.

Applicable Compliance Method:

Compliance with the visible emission limitation for the coal crushing, sizing and screening operations shall be determined in accordance with Test Method 9 as set forth in "Appendix on Test Methods" in 40 CFR, Part 60 ("Standards of Performance for New Stationary Sources"), as such Appendix existed on July 1, 1996.

- b. Emission Limitation:

The owner or operator shall not cause to be discharged into the atmosphere from any pneumatic coal cleaning equipment, gases which contain particulate matter in excess of 0.018 gr/dscf or which exhibit 10 percent opacity or greater.

Applicable Compliance Method:

Compliance with the mass and visible particulate emission limitations for the coal crushing, sizing and screening operations shall be determined in accordance with Test Methods 1-5 and Method 9, respectively, 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 requirements of 40 CFR 60.254(a) through (c).

c. Emission Limitation:

Particulate emissions(PE) shall not exceed 2.3 TPY from the coal crushing, sizing and screening operations.

Compliance Determination:

Compliance with the TPY emission limitation shall be demonstrated by the following one time calculations using emission factors (for lack of a more accurate emission factor or calculation, the emission factors for crushed stone were used from AP-42 Table 11.19.2-2 (01/95)).

Crushing: $PE = (0.00504 \text{ lb/ton of material loaded})(235,000 \text{ tons/yr})(50 \% \text{ control})(0.0005 \text{ ton/lb}) = 0.30 \text{ TPY}$

Screening: $PE = (0.0315 \text{ lb/ton of material loaded})(235,000 \text{ tons/yr})(50 \% \text{ control})(0.0005 \text{ ton/lb}) = 1.85 \text{ TPY}$

Conveyor transfer, in plant: $PE = (0.00294 \text{ lb/ton of material loaded})(235,000 \text{ tons/yr})(80 \% \text{ control})(0.0005 \text{ ton/lb}) = 0.07 \text{ TPY}$

Truck loading: $PE = (0.00021 \text{ lb/ton of material loaded})(235,000 \text{ tons/yr})(50 \% \text{ control})(0.0005 \text{ ton/lb}) = 0.01 \text{ TPY}$

Total PE = 2.23 TPY

d. Emission Limitation:

Particulate emissions (PE) shall not exceed 7.3 TPY from the pneumatic coal cleaning operation.

Compliance Determination:

Compliance shall be determined by multiplying the allowable grain loading by the maximum design flow rate of the baghouse and 235,000 tons of coal throughput per year as shown in the equation below.

$(0.018 \text{ gr/scf})(40000 \text{ scf/min})(60 \text{ min/hr})(1 \text{ lb}/7000 \text{ gr})(235000 \text{ tons coal/yr})(1 \text{ hr}/100 \text{ tons coal})(0.0005 \text{ ton/lb}) = 7.25 \text{ TPY}$

2. The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:

- a. The emission testing shall be conducted within 180 days of startup of the facility (pursuant to 40 CFR 60.8).

- b. The emission testing shall be conducted to demonstrate compliance with the allowable particulate emission limit and the visible emissions limit.
- c. 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 Ohio EPA Southeast District Office.

Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Ohio EPA Southeast District Office. 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 Southeast District Office's refusal to accept the results of the emission test(s).

Personnel from the Ohio EPA Southeast District Office 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.

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 Ohio EPA Southeast District Office 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 Ohio EPA Southeast District Office.

F. Miscellaneous Requirements

None.

NEW SOURCE REVIEW FORM B

PTI Number: 06-07271

Facility ID: 0679000306

FACILITY NAME Tusky Coal LLC

FACILITY DESCRIPTION Roadways and parking material handling storage piles and coal processing. CITY/TWP Dennison

SIC CODE 1222 SCC CODE 30501090 EMISSIONS UNIT ID F001

EMISSIONS UNIT DESCRIPTION Unpaved roads and parking areas.

DATE INSTALLED 9/03

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

Pollutants	Air Quality Description	Actual Emissions Rate		PTI Allowable	
		Short Term Rate	Tons Per Year	Short Term Rate	Tons Per Year
Particulate Matter			4.6		4.6
PM ₁₀					
Sulfur Dioxide					
Organic Compounds					
Nitrogen Oxides					
Carbon Monoxide					
Lead					
Other: Air Toxics					

APPLICABLE FEDERAL RULES:

NSPS? no NESHAP? no PSD? no OFFSET POLICY? no

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

Wet suppression, 5 mph speed limit.

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY? no

OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT? \$

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*? YES X NO

IDENTIFY THE AIR CONTAMINANTS:

NEW SOURCE REVIEW FORM B

PTI Number: 06-07271

Facility ID: 0679000306

FACILITY NAME Tusky Coal LLC

FACILITY DESCRIPTION Roadways and parking material handling storage piles and coal processing. CITY/TWP Dennison

SIC CODE 1222 SCC CODE 30501009, 14, 43 EMISSIONS UNIT ID F003

EMISSIONS UNIT DESCRIPTION Coal storage piles

DATE INSTALLED 9/03

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

Pollutants	Air Quality Description	Actual Emissions Rate		PTI Allowable	
		Short Term Rate	Tons Per Year	Short Term Rate	Tons Per Year
Particulate Matter			0.26		0.3
PM ₁₀					
Sulfur Dioxide					
Organic Compounds					
Nitrogen Oxides					
Carbon Monoxide					
Lead					
Other: Air Toxics					

APPLICABLE FEDERAL RULES:

NSPS? no NESHAP? no PSD? no OFFSET POLICY? no

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

Wet suppression.

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY? no

OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT? \$

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*? YES X NO

IDENTIFY THE AIR CONTAMINANTS:

NEW SOURCE REVIEW FORM B

PTI Number: 06-07271

Facility ID: 0679000306

FACILITY NAME Tusky Coal LLC

FACILITY DESCRIPTION Roadways and parking material handling storage piles and coal processing. CITY/TWP Dennison

SIC CODE 1222 SCC CODE 30501010, 12 EMISSIONS UNIT ID P901

EMISSIONS UNIT DESCRIPTION Coal crushing, sizing, screening and cleaning

DATE INSTALLED 9/03

EMISSIONS: (Click on bubble help for Air Quality Descriptions)

Pollutants	Air Quality Description	Actual Emissions Rate		PTI Allowable	
		Short Term Rate	Tons Per Year	Short Term Rate	Tons Per Year
Particulate Matter			9.48		9.6
PM ₁₀					
Sulfur Dioxide					
Organic Compounds					
Nitrogen Oxides					
Carbon Monoxide					
Lead					
Other: Air Toxics					

APPLICABLE FEDERAL RULES:

NSPS? Subpart Y NESHAP? no PSD? no OFFSET POLICY? no

WHAT IS THE BAT DETERMINATION, AND WHAT IS THE BASIS FOR THE DETERMINATION?

BACM for fugitives from crushing/screening and a baghouse for the air jig.

IS THIS SOURCE SUBJECT TO THE AIR TOXICS POLICY? no

OPTIONAL: WHAT IS THE CAPITAL COST OF CONTROL EQUIPMENT? \$ _____

TOXIC AIR CONTAMINANTS

Ohio EPA's air toxics policy applies to contaminants for which the American Conference of Governmental Industrial Hygienists (ACGIH) has a listed threshold limit value.

AIR TOXICS MODELING PERFORMED*? _____ YES X NO

IDENTIFY THE AIR CONTAMINANTS: _____