



State of Ohio Environmental Protection Agency

Street Address:

Mailing Address:

Lazarus Gov. Center TELE: (614) 644-3020 FAX: (614) 644-2329

Lazarus Gov.  
Center

RE: **FINAL PERMIT TO INSTALL MODIFICATION** CERTIFIED MAIL  
MONTGOMERY COUNTY  
Application No: 08-01422

DATE: 4/19/2001

Onyx Environmental Services, LLC  
Kristin Jennings  
PO Box 453 4301 Infirmary Rd  
West Carrollton, OH 45449

Enclosed Please find a modification to the Ohio EPA Permit To Install referenced above which will modify the terms and conditions.

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  
236 East Town Street, Room 300  
Columbus, Ohio 43215

Very truly yours,

Thomas G. Rigo, Manager  
Field Operations and Permit Section  
Division of Air Pollution Control

CC: USEPA

RAPCA



**Permit To Install  
Terms and Conditions**

**Issue Date: 4/19/2001  
Effective Date: 4/19/2001**

FINAL ADMINISTRATIVE MODIFICATION OF PERMIT TO INSTALL 08-01422

Application Number: **08-01422**  
APS Premise Number: **0857751346**  
Permit Fee: **\$100**  
Name of Facility: **Onyx Environmental Services, LLC**  
Person to Contact: **Kristin Jennings**  
Address: **PO Box 453 4301 Infirmary Rd  
West Carrollton, OH 45449**

Location of proposed air contaminant source(s) [emissions unit(s)]:  
**4301 Infirmary Rd  
West Carrollton, OHIO**

Description of modification:

**Modification of PTI 08-01422 to change the facility name and contact person. Also this modification changes the applicable rule to OAC 3745-21-07(D)(2) from OAC 3745-21-07(G)(2).**

The above named entity is hereby granted a modification to the permit to install described above pursuant to Chapter 3745-31 of the Ohio Administrative Code. Issuance of this modification 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 included in the application, the above described source(s) of pollutants will be granted the necessary operating permits.

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

Director

**Onyx Environmental Services, LLC**

Facility ID: **0857751346**

**PTI Application: 08-01422**

**Modification Issued: 4/19/2001**

## **GENERAL PERMIT CONDITIONS**

### **TERMINATION OF PERMIT TO INSTALL**

Substantial construction for installation must take place within 18 months of the effective date of this permit. 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.

### **NOTICE OF INSPECTION**

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, or to examine records or reports pertaining to the construction, modification or installation of the source(s) of environmental pollutants identified within this permit.

### **CONSTRUCTION OF NEW SOURCES**

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.

### **PERMIT TO INSTALL FEE**

In accordance with Ohio Revised Code 3745.11, the specified Permit to Install fee must be remitted within 30 days of the effective date of this permit to install.

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### **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.

### **APPLICABILITY**

This Permit to Install is applicable only to the contaminant sources identified. Separate application must be made to the Director for the installation or modification of any other contaminant sources.

### **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.

### **SOURCE OPERATION AND OPERATING PERMIT REQUIREMENTS AFTER COMPLETION OF CONSTRUCTION**

If the permittee is required to apply for a Title V permit pursuant to OAC Chapter 3745-77, the permittee shall submit a complete Title V permit application or a complete Title V permit modification application within twelve (12) months after commencing operation of the emissions units covered by this permit. However, if the proposed new or modified source(s) would be prohibited by the terms and conditions of an existing Title V permit, a Title V permit modification must be obtained before the operation of such new or modified source(s) pursuant to OAC rule 3745-77-04(D) and OAC rule 3745-77-08(C)(3)(d).

If the permittee is required to apply for permit(s) pursuant to OAC Chapter 3745-35, the source(s) identified in this Permit To Install is (are) permitted to operate for a period of up to one year from the date the source(s) commenced operation. 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 thirty (30) days after commencing operation of the source(s) covered by this permit.

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<u>Ohio EPA Source Number</u>	<u>Source Identification Number</u>	<u>BAT Determination</u>	<u>Applicable Federal &amp; OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
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**AIR EMISSION SUMMARY**

The air contaminant emissions units listed below comprise the Permit to Install for **Onyx Environmental Services, LLC** located in **MONTGOMERY** County. The emissions units listed below shall not exceed the emission limits/control requirements contained in the table. This condition in no way limits the applicability of any other state or federal regulations. Additionally, this condition does not limit the applicability of additional special terms and conditions of this permit.

<u>Ohio EPA Source Number</u>	<u>Source Identification Description</u>	<u>BAT Determination</u>	<u>Applicable Federal &amp; OAC Rules</u>	<u>Permit Allowable Mass Emissions and/or Control/Usage Requirements</u>
P006	Container liquid decant unit (solvent holding tank)	Onyx shall use a vapor balance system when transferring solvent materials to another tank or truck; use submerged fill of the tank from the containers	3745-31-05(A)  3745-21-07(D)(2)	Organic compounds: 0.76 TPY  The permittee shall not place, store, or hold in any storage vessel of more than five hundred gallons capacity any volatile photochemically reactive material unless such vessel is equipped with a permanent submerged fill pipe; is loaded through the use of a portable loading tube which can be inserted below the liquid level line during loading operations, or is a pressure tank as

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**SUMMARY**  
**TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS**

<u><b>Pollutant</b></u>	<u><b>Tons/Year</b></u>
Organic compounds	0.76

This condition in no way limits the applicability of any other state or federal regulation.

**APPLICABILITY**

This Permit to Install is applicable only to the air contaminant sources listed and does not include the installation

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or modification of wastewater disposal systems or solid waste disposal facilities. Separate application must be made to the Director for the installation or modification of any such wastewater disposal systems or solid waste disposal facilities.

### **WASTE DISPOSAL**

The owner/operator shall comply with any applicable state and federal requirements governing the storage, treatment, transport and disposal of any waste material generated by the operation of the sources.

### **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.

### **MALFUNCTION/ABATEMENT**

In accordance with OAC RULE 3745-15-06, any malfunction of the source(s) or associated air pollution control system(s) shall be reported immediately to the Regional Air Pollution Control Agency, 451 West Third Street, Dayton, Ohio 45422.

Except as provided by OAC Rule 3745-15-06(A)(3), scheduled maintenance of air pollution control equipment that requires the shutdown or bypassing of air pollution control system(s) must be accompanied by the shutdown of the associated air pollution sources.

### **ADDITIONAL SPECIAL TERMS AND CONDITIONS**

1. The permittee shall handle all solvent containing materials in such a manner as to minimize fugitive organic compound emissions.
2. The permittee shall immediately notify the Regional Air Pollution Control Agency (RAPCA) and the Ohio Environmental Protection Agency should a spillage of liquid organic compounds exceed a quantity of twenty five gallons, or has the potential to threaten the public's health and welfare. Within two weeks of the occurrence of the spill, Solvent Resource Recovery shall submit a complete written report to RAPCA including: type of material, quantity of material, and measures taken to contain and clean-up the liquid.