



Environmental
Protection Agency

Ted Strickland, Governor
Lee Fisher, Lt. Governor
Chris Korleski, Director

4/19/2010

Certified Mail

Dale Lewis
ESSROC Cement Corp
8282 Middlebranch Ave., NE
Middlebranch, OH 44652

RE: FINAL AIR POLLUTION PERMIT-TO-INSTAL
Facility ID: 1576000074
Permit Number: P0105919
Permit Type: Initial Installation
County: Stark

No	TOXIC REVIEW
No	PSD
No	SYNTHETIC MINOR TO AVOID MAJOR NSR
No	CEMS
No	MACT
Yes	NSPS
No	NESHAPS
No	NETTING
No	MAJOR NON-ATTAINMENT
No	MODELING SUBMITTED

Dear Permit Holder:

Enclosed please find a final Air Pollution Permit-to-Install (PTI) which will allow you to install or modify the described emissions unit(s) in a manner indicated in the permit. Because this permit contains several conditions and restrictions, we urge you to read it carefully. Please complete a survey at www.epa.ohio.gov/dapc/permitsurvey.aspx and give us feedback on your permitting experience. We value your opinion.

The issuance of this PTI 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 Kevin Boyce," 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
309 South Fourth Street, Room 222
Columbus, OH 43215

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. If you have any questions regarding this permit, please contact the Canton City Health Department. This permit can be accessed electronically on the Division of Air Pollution Control (DAPC) Web page, www.epa.ohio.gov/dapc by clicking the "Issued Air Pollution Control Permits" link.

Sincerely,

Michael W. Ahern, Manager
Permit Issuance and Data Management Section, DAPC

Cc: U.S. EPA
Canton; Pennsylvania; West Virginia



FINAL

**Division of Air Pollution Control
Permit-to-Install
for
ESSROC Cement Corp**

Facility ID: 1576000074
Permit Number: P0105919
Permit Type: Initial Installation
Issued: 4/19/2010
Effective: 4/19/2010



Division of Air Pollution Control
Permit-to-Install
for
ESSROC Cement Corp

Table of Contents

Authorization 1
A. Standard Terms and Conditions 3
1. Federally Enforceable Standard Terms and Conditions 4
2. Severability Clause 4
3. General Requirements 4
4. Monitoring and Related Record Keeping and Reporting Requirements 5
5. Scheduled Maintenance/Malfunction Reporting 6
6. Compliance Requirements 6
7. Best Available Technology 7
8. Air Pollution Nuisance 7
9. Reporting Requirements 8
10. Applicability 8
11. Construction of New Sources(s) and Authorization to Install 8
12. Permit-To-Operate Application 9
13. Construction Compliance Certification 9
14. Public Disclosure 10
15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations 10
16. Fees 10
17. Permit Transfers 10
18. Risk Management Plans 10
19. Title IV Provisions 10
B. Facility-Wide Terms and Conditions 11
C. Emissions Unit Terms and Conditions 13
1. P905, Railcar Cement Unloading (EU37) 14



Authorization

Facility ID: 1576000074

Facility Description:

Application Number(s): A0038717

Permit Number: P0105919

Permit Description: New railcar unloading operation for the storage of (dry) cement in elevated silos. The new equipment will include drag conveyors, airslides, and a bucket conveyor for material transport. There will be three (3) Torit CPV-3 bin vent dust collectors for control of particulate emissions. The operation uses all electric power; hence there are no engine emissions involved.

Permit Type: Initial Installation

Permit Fee: \$1,250.00

Issue Date: 4/19/2010

Effective Date: 4/19/2010

This document constitutes issuance to:

ESSROC Cement Corp
8282 Middlebranch Ave., NE
Plain Twp., OH 44652

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

Ohio EPA District Office or local air agency responsible for processing and administering your permit:

Canton City Health Department
420 Market Avenue
Canton, OH 44702-1544
(330)489-3385

The above named entity is hereby granted a Permit-to-Install for the 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 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

Chris Korleski
Director



Authorization (continued)

Permit Number: P0105919
Permit Description: New railcar unloading operation for the storage of (dry) cement in elevated silos. The new equipment will include drag conveyors, airslides, and a bucket conveyor for material transport. There will be three (3) Torit CPV-3 bin vent dust collectors for control of particulate emissions. The operation uses all electric power; hence there are no engine emissions involved.

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

Emissions Unit ID:	P905
Company Equipment ID:	EU37
Superseded Permit Number:	
General Permit Category and Type:	Not Applicable

A. Standard Terms and Conditions

1. Federally Enforceable Standard Terms and Conditions

- a) All Standard Terms and Conditions are federally enforceable, with the exception of those listed below which are enforceable under State law only:
 - (1) Standard Term and Condition A.2.a), Severability Clause
 - (2) Standard Term and Condition A.3.c) through A. 3.e) General Requirements
 - (3) Standard Term and Condition A.6.c) and A. 6.d), Compliance Requirements
 - (4) Standard Term and Condition A.9., Reporting Requirements
 - (5) Standard Term and Condition A.10., Applicability
 - (6) Standard Term and Condition A.11.b) through A.11.e), Construction of New Source(s) and Authorization to Install
 - (7) Standard Term and Condition A.14., Public Disclosure
 - (8) Standard Term and Condition A.15., Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations
 - (9) Standard Term and Condition A.16., Fees
 - (10) Standard Term and Condition A.17., Permit Transfers

2. Severability Clause

- a) A determination that any term or condition of this permit is invalid shall not invalidate the force or effect of any other term or condition thereof, except to the extent that any other term or condition depends in whole or in part for its operation or implementation upon the term or condition declared invalid.
- b) All terms and conditions designated in parts B and C of this permit are federally enforceable as a practical matter, if they are required under the Act, or any its applicable requirements, including relevant provisions designed to limit the potential to emit of a source, are enforceable by the Administrator of the U.S. EPA and the State and by citizens (to the extent allowed by section 304 of the Act) under the Act. Terms and conditions in parts B and C of this permit shall not be federally enforceable and shall be enforceable under State law only, only if specifically identified in this permit as such.

3. General Requirements

- a) The permittee must comply with all terms and conditions of this permit. Any noncompliance with the federally enforceable terms and conditions of this permit constitutes a violation of the Act, and is grounds for enforcement action or for permit revocation, revocation and re-issuance, or modification.

- b) It shall not be a defense for the permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the federally enforceable terms and conditions of this permit.
- c) This permit may be modified, revoked, or revoked and reissued, for cause. The filing of a request by the permittee for a permit modification, revocation and reissuance, or revocation, or of a notification of planned changes or anticipated noncompliance does not stay any term and condition of this permit.
- d) This permit does not convey any property rights of any sort, or any exclusive privilege.
- e) 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 or revoking this permit or to determine compliance with this permit. Upon request, the permittee shall also furnish to the Director or an authorized representative of the Director, copies of records required to be kept by this permit. For information claimed to be confidential in the submittal to the Director, if the Administrator of the U.S. EPA requests such information, the permittee may furnish such records directly to the Administrator along with a claim of confidentiality.

4. Monitoring and Related Record Keeping and Reporting Requirements

- a) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall maintain records that include the following, where applicable, for any required monitoring under this permit:
 - (1) The date, place (as defined in the permit), and time of sampling or measurements.
 - (2) The date(s) analyses were performed.
 - (3) The company or entity that performed the analyses.
 - (4) The analytical techniques or methods used.
 - (5) The results of such analyses.
 - (6) The operating conditions existing at the time of sampling or measurement.
- b) 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.
- c) Except as may otherwise be provided in the terms and conditions for a specific emissions unit, the permittee shall submit required reports in the following manner:

- (1) Reports of any required monitoring and/or recordkeeping of federally enforceable information shall be submitted to the Canton City Health Department.
 - (2) Quarterly written reports of (i) any deviations from federally enforceable emission limitations, operational restrictions, and control device operating parameter limitations, excluding deviations resulting from malfunctions reported in accordance with OAC rule 3745-15-06, that have been detected by the testing, monitoring and recordkeeping requirements specified in this permit, (ii) the probable cause of such deviations, and (iii) any corrective actions or preventive measures taken, shall be made to the Canton City Health Department. The written reports shall be submitted (i.e., postmarked) quarterly, by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters. See A.15. below if no deviations occurred during the quarter.
 - (3) Written reports, which identify any deviations from the federally enforceable monitoring, recordkeeping, and reporting requirements contained in this permit shall be submitted (i.e., postmarked) to the Canton City Health Department every six months, by January 31 and July 31 of each year for the previous six calendar months. If no deviations occurred during a six-month period, the permittee shall submit a semi-annual report, which states that no deviations occurred during that period.
 - (4) This permit is for an emissions unit located at a Title V facility. Each written report shall be signed by a responsible official certifying that, based on information and belief formed after reasonable inquiry, the statements and information in the report are true, accurate, and complete.
- d) The permittee shall report actual emissions pursuant to OAC Chapter 3745-78 for the purpose of collecting Air Pollution Control Fees.

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, i.e., upset, of any emissions units or any associated air pollution control system(s) shall be reported to the Canton City Health Department in accordance with paragraph (B) of OAC rule 3745-15-06. (The definition of an upset condition shall be the same as that used in OAC rule 3745-15-06(B)(1) for a malfunction.) The verbal and written reports shall be submitted pursuant to 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 emission unit(s) that is (are) served by such control system(s).

6. Compliance Requirements

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



- b) Any document (including reports) required to be submitted and required by a federally applicable requirement in this permit shall include a certification by a responsible official that, based on information and belief formed after reasonable inquiry, the statements in the document are true, accurate, and complete.
- c) Upon presentation of credentials and other documents as may be required by law, the permittee shall allow the Director of the Ohio EPA or an authorized representative of the Director to:
 - (1) At reasonable times, enter upon the permittee's premises where a source is located or the emissions-related activity is conducted, or where records must be kept under the conditions of this permit.
 - (2) Have access to and copy, at reasonable times, any records that must be kept under the conditions of this permit, subject to the protection from disclosure to the public of confidential information consistent with ORC section 3704.08.
 - (3) Inspect at reasonable times any facilities, equipment (including monitoring and air pollution control equipment), practices, or operations regulated or required under this permit.
 - (4) As authorized by the Act, sample or monitor at reasonable times substances or parameters for the purpose of assuring compliance with the permit and applicable requirements.
- d) The permittee shall submit progress reports to the Canton City Health Department concerning any schedule of compliance for meeting an applicable requirement. Progress reports shall be submitted semiannually or more frequently if specified in the applicable requirement or by the Director of the Ohio EPA. Progress reports shall contain the following:
 - (1) Dates for achieving the activities, milestones, or compliance required in any schedule of compliance, and dates when such activities, milestones, or compliance were achieved.
 - (2) An explanation of why any dates in any schedule of compliance were not or will not be met, and any preventive or corrective measures adopted.

7. Best Available Technology

As specified in OAC Rule 3745-31-05, new sources that must employ Best Available Technology (BAT) shall comply with the Applicable Emission Limitations/Control Measures identified as BAT for each subject emissions unit.

8. 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.

9. Reporting Requirements

The permittee shall submit required reports in the following manner:

- a) Reports of any required monitoring and/or recordkeeping of state-only enforceable information shall be submitted to the Canton City Health Department.
- 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 state-only required 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 Canton City Health Department. 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 (i.e., postmarked) quarterly, 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.)

10. Applicability

This Permit-to-Install is applicable only to the emissions unit(s) identified in the Permit-to-Install. Separate application must be made to the Director for the installation or modification of any other emissions unit(s).

11. Construction of New Sources(s) and Authorization to Install

- a) This permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. This permit does not constitute expressed or implied assurance that the proposed facility has been constructed in accordance with the application and terms and conditions of this permit. 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 this permit does not constitute an assurance that the proposed source will operate in compliance with all Ohio laws and regulations. Issuance of this permit 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.
- b) If applicable, authorization to install any new emissions unit included in this permit shall terminate within eighteen months of the effective date of the permit if the owner or operator has not undertaken a continuing program of installation or has not entered into a binding contractual obligation to undertake and complete within a reasonable time a continuing program of installation. 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.

- c) The permittee may notify Ohio EPA of any emissions unit that is permanently shut down (i.e., 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) by submitting a certification from the authorized official that identifies the date on which the emissions unit was permanently shut down. Authorization to operate the affected emissions unit shall cease upon the date certified by the authorized official that the emissions unit was permanently shut down. At a minimum, notification of permanent shut down shall be made or confirmed by marking the affected emissions unit(s) as "permanently shut down" in Ohio EPA's "Air Services" 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).
- d) The provisions of this permit shall cease to be enforceable for each affected emissions unit after the date on which an emissions unit is permanently shut down (i.e., 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). All records relating to any permanently shutdown emissions unit, generated while the emissions unit was in operation, must be maintained in accordance with law. All reports required by this permit must be submitted for any period an affected emissions unit operated prior to permanent shut down. At a minimum, the permit requirements must be evaluated as part of the reporting requirements identified in this permit covering the last period the emissions unit operated.

No emissions unit certified by the authorized official as being permanently shut down may resume operation without first applying for and obtaining a permit pursuant to OAC Chapter 3745-31.

- e) The permittee shall comply with any residual requirements related to this permit, such as the requirement to submit a deviation report, air fee emission report, or other any reporting required by this permit for the period the operating provisions of this permit were enforceable, or as required by regulation or law. All reports shall be submitted in a form and manner prescribed by the Director. All records relating to this permit must be maintained in accordance with law.

12. Permit-To-Operate Application

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).

13. Construction Compliance Certification

The applicant shall identify the following dates in the online facility profile for each new emissions unit identified in this permit.

- a) Completion of initial installation date shall be entered upon completion of construction and prior to start-up.

- b) Commence operation after installation or latest modification date shall be entered within 90 days after commencing operation of the applicable emissions unit.

14. 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.

15. Additional Reporting Requirements When There Are No Deviations of Federally Enforceable Emission Limitations, Operational Restrictions, or Control Device Operating Parameter Limitations

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., postmarked), by January 31, April 30, July 31, and October 31 of each year and shall cover the previous calendar quarters.

16. 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 any permit-to-install. The permittee shall pay all applicable permit-to-operate fees within thirty days of the issuance of the invoice.

17. Permit Transfers

Any transferee of this permit shall assume the responsibilities of the prior permit holder. The new owner must update and submit the ownership information via the "Owner/Contact Change" functionality in Air Services once the transfer is legally completed. The change must be submitted through Air Services within thirty days of the ownership transfer date.

18. Risk Management Plans

If the permittee is required to develop and register a risk management plan pursuant to section 112(r) of the Clean Air Act, as amended, 42 U.S.C. 7401 et seq. ("Act"), the permittee shall comply with the requirement to register such a plan.

19. Title IV Provisions

If the permittee is subject to the requirements of 40 CFR Part 72 concerning acid rain, the permittee shall ensure that any affected emissions unit complies with those requirements. Emissions exceeding any allowances that are lawfully held under Title IV of the Act, or any regulations adopted thereunder, are prohibited.

B. Facility-Wide Terms and Conditions

1. All the following facility-wide terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only:
 - a) None.

C. Emissions Unit Terms and Conditions



2. P905, Railcar Cement Unloading (EU37)

Operations, Property and/or Equipment Description:

Railcar cement unloading operation for storage of cement in elevated silos. Includes drag conveyors, airslides, and a bucket conveyor for material transport and three (3) bin vent dust collectors for control of particulate emissions (Donaldson® Torit® PowerCore®, model CPV-3). (Note: There are no engine emissions, because the operation uses all electric power.)

- a) The following emissions unit terms and conditions are federally enforceable with the exception of those listed below which are enforceable under state law only.
 - (1) 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 [Best Available Technology (BAT)]	Total particulate emissions (PE)* shall not exceed 0.77 lb/hr and 3.38 tons per year. See b)(2)a. thru b)(2)d. below.
b.	OAC rule 3745-31-05(A)(3)(b), as effective 12/01/06 [less than 10 tpy BAT exemption]	See b)(2) e. below.
c.	40 CFR Part 60, Subpart F	The visible particulate emission limit specified by this rule is less stringent than the emission limit established pursuant to OAC rule 3745-31-05(A)(3), as effective 11/30/01. See b)(2)e. below.
d.	OAC rule 3745-17-07(A)(1)	The visible particulate emission limit specified by this rule is less stringent than the emission limit established pursuant to both OAC rule 3745-31-05(A)(3), as effective 11/30/01, and 40 CFR 60.62(c).
e.	OAC rule 3745-17-11	The particulate emission limit specified by this rule is less stringent than the emission limit established pursuant to OAC rule 3745-31-05(A)(3), as effective 11/30/01. See b)(2)e. below.

* For the purposes of this permit, all particulate emissions (PE) are assumed to be particulate matter less than 10 microns in diameter (PM₁₀/PM_{2.5}).

(2) Additional Terms and Conditions

- a. At all times the emissions unit is in operation, the particulate emissions shall be vented to three (3) dust collectors installed at the approximate locations shown on the process flow diagram contained in the permittee's permit application. Particulate emissions (PE)* from each dust collector serving this emissions unit shall not exceed an outlet grain loading value of 0.02 gr/dscf.
- b. Visible particulate emissions from the exhaust stacks serving this emissions unit shall not exceed 5% opacity as a six-minute average.
- c. The drag conveyors, airslides, and bucket conveyors associated with this emissions unit shall be enclosed and equipped with dust collectors as described in b)(2)a. As such, this emissions unit does not meet the definition of a fugitive dust source as provided in OAC rule 3745-17-01(B)(7). However, as part of BAT requirements, it is emphasized that there shall be no visible emissions of fugitive dust from this emissions unit.
- d. The permittee has satisfied the Best Available Technology (BAT) requirements pursuant to OAC rule 3745-31-05(A)(3), as effective November 30, 2001. On December 1, 2006, paragraph (A)(3) of OAC rule 3745-31-05 was revised to conform with ORC changes effective August 3, 2006 (S.B. 265 changes), such that BAT is no longer required by State regulations for sources having potential to emit, taking into account controls, less than ten tons per year of emissions of an NAAQS pollutant or precursor. 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 requirements to satisfy BAT still exist as part of the federally-approved SIP for Ohio. Once U.S. EPA approves the December 1, 2006 version of 3745-31-05, then the emission limits/control measures listed above in b)(1)a., b)(2)a. and b)(2)b. no longer apply under a BAT rule. Mass emission and other limits will apply under a different rule (see next section, b)(2)e.).
- e. This rule (less than 10 tpy BAT exemption) only applies once U.S. EPA approves the December 1, 2006 version of OAC rule 3745-31-05 as part of the State Implementation Plan. In that case only, the following Terms and Conditions will apply:
 - i. This permit will take into account the following voluntary restrictions as proposed by the permittee for the purpose of avoiding Best Available Technology (BAT) requirements under OAC rule 3745-31-05(A)(3).
 - (a) Dust collectors as described in b)(2)a. shall be required, except that the outlet grain loading of 0.02 gr/dscf shall not be an enforceable limit, but rather a reference value as provided in the permittee's permit application.

- (b) Total particulate emissions (PE)* shall not exceed 9.9 tons per year.
 - ii. Under 40 CFR 60.62(c), visible particulate emissions from the exhaust stacks serving this emissions unit shall not exceed 10% opacity as a six-minute average.
 - iii. The drag conveyors, airslides, and bucket conveyors associated with this emissions unit shall be enclosed and equipped with dust collectors as described in b)(2)e.i.(a). As such, this emissions unit does not meet the definition of a fugitive dust source as provided in OAC rule 3745-17-01(B)(7) and is not subject to the limitations for visible emissions of fugitive dust found in OAC rule 3745-17-07(B).
 - iv. As described in the permittee's permit application, under OAC rule 3745-17-11, the more stringent allowable particulate emission rate is that determined from Figure II, and is equal to 9.0 lb/hr. However, this limit is greater than the hourly potential to emit (PTE) with the use of the dust collectors under the voluntary restrictions taken to avoid BAT, if applicable, and thus OAC rule 3745-17-11 would not apply.

- f. The permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart F, which is applicable as defined in 40 CFR 60.60(a) because this emissions unit consists of a bulk unloading system and conveyor transfer points at a portland cement plant. In addition, the permittee shall comply with all applicable requirements of 40 CFR Part 60, Subpart A—General Provisions, including but not limited to the following sections that are emphasized here for informational purposes:

60.7	Notification and record keeping. See in particular §60.7(a)(1), (a)(3) and (a)(6) regarding notification requirements for start of construction, initial startup, and initial opacity observations, respectively.
60.11	General compliance with standards and maintenance requirements. See in particular §60.11(b) and §60.11(e)(1) - (e)(2) regarding initial opacity observations.

* For the purposes of this permit, all particulate emissions (PE) are assumed to be particulate matter less than 10 microns in diameter (PM₁₀/PM_{2.5}).

c) Operational Restrictions

- (1) None.

d) Monitoring and/or Recordkeeping Requirements

- (1) The permittee shall perform daily checks, when the emissions unit is in operation and when the weather conditions allow, for any visible particulate emissions from the stack(s) serving this emissions unit. The presence or absence of any visible emissions shall be

noted in an operations log. If visible emissions are observed, the permittee shall also note the following in the operations log:

- a. the color of the emissions;
- b. whether the emissions are representative of normal operations;
- c. if the emissions are not representative of normal operations, the cause of the abnormal emissions;
- d. the total duration of any visible emission incident; and
- e. any corrective actions taken to eliminate the visible emissions if the 5% opacity BAT limitation under b)(1)a. above applies, or to minimize the visible emissions if the 10% opacity limitation under b)(2)e.ii. above [40 CFR 60.62(c)] applies.

If the daily checks show emissions that are representative of normal operation for one (1) operating quarter, the required frequency of visible emission checks may be reduced to once per week when P905 is in operation. If a subsequent check by the permittee or an Ohio EPA inspector indicates emissions that are not representative of normal operation, the frequency of emission checks shall revert back to daily until such time as there has been one (1) operating quarter of normal visible emissions.

- (2) The permittee shall maintain records of the daily production rates [40 CFR 60.63(a)].

e) Reporting Requirements

- (1) The permittee shall submit initial opacity observation results to the Canton LAA within 30 days following completion of the testing. See f)(2) below for complete details.
- (2) The permittee shall submit semiannual written reports that identify:
 - a. all days during which any visible particulate emissions were observed from the stack(s) serving this emissions unit; and
 - b. any corrective actions taken to minimize or eliminate the visible particulate emissions.

These reports shall be submitted to the Canton LAA by January 31 and July 31 of each year and shall cover the previous 6-month period. Semiannual reports are required because the emissions unit is located at a Title V facility [OAC rule 3745-77-07(A)(3)(c)].

f) Testing Requirements

- (1) Compliance with the emission limitations in b)(1) and b)(2) of these terms and conditions shall be determined in accordance with the following method(s):
 - a. Emission Limitation

Visible particulate emissions from the exhaust stacks serving this emissions unit shall not exceed 5% opacity as a six-minute average under b)(1)a. above (BAT

limitation) or 10% opacity as a six-minute average under b)(2)e.ii. above [40 CFR 60.62(c)], whichever is applicable.

Applicable Compliance Method

Compliance shall be determined through visible emissions observations performed in accordance with U.S. EPA Method 9 [40 CFR Part 60, Appendix A]. Initial compliance must be demonstrated and reported as described below in f)(2).

b. Emission Limitation

Particulate emissions (PE) from the exhaust stacks serving this emissions unit shall not exceed an outlet grain loading value of 0.02 gr/dscf under b)(1)a. above (BAT limitation), if applicable.

Applicable Compliance Method:

Compliance with the outlet grain loading emission limit shall be demonstrated by applying a safety factor of 10 to the observed grain loadings of 0.002 gr/dscf provided by Donaldson, the manufacturer of the Torit® PowerCore® CPV-3 bin vent dust collector (ref Brian Yappel of Donaldson) as contained in a supplement to the permittee's permit application, "Exhibit A-1," received at the Canton LAA 2/16/2010.

If required, compliance with the applicable limits shall be demonstrated in accordance with the requirements specified in U.S. EPA Test Method 201 or 201A [40 CFR Part 51, Appendix M]. Alternative U.S. EPA approved test methods may be used with prior approval from the Canton LAA.

c. Emission Limitation

Total particulate emissions (PE) shall not exceed 0.77 lb/hr and 3.38 tons per year under b)(1)a. above (BAT limitation), if applicable.

Applicable Compliance Method:

Compliance with the hourly and annual emission limits shall be demonstrated using the maximum dust collector outlet airflow (1500 scfm) and the maximum outlet grain loading value (0.02 gr/dscf) contained in the permittee's permit application.

$$E\left(\frac{\text{lb PE}}{\text{hr}}\right) = \text{Outlet Grain Loading}\left(\frac{\text{grain PE}}{\text{scf}}\right) \times \text{Outlet Flowrate}\left(\frac{\text{scf}}{\text{min}}\right) \times \left(\frac{\text{lb}}{7,000 \text{ grains}}\right) \times \left(\frac{60 \text{ min}}{\text{hr}}\right) \times (\text{n dust collectors})$$

$$0.77\left(\frac{\text{lb}}{\text{hr}}\right) = 0.02\left(\frac{\text{grain PE}}{\text{scf}}\right) \times 1,500\left(\frac{\text{scf}}{\text{min}}\right) \times \left(\frac{\text{lb PE}}{7,000 \text{ grains PE}}\right) \times \left(\frac{60 \text{ min}}{\text{hr}}\right) \times 3 \text{ dust collectors}$$

$$3.38 \left(\frac{\text{tons}}{\text{yr}} \right) = 0.77 \left(\frac{\text{lb}}{\text{hr}} \right) \times \left(\frac{8760 \text{ hr}}{\text{yr}} \right) \times \left(\frac{\text{ton}}{2,000 \text{ lb}} \right)$$

If required, compliance with the applicable limits shall be demonstrated in accordance with the requirements specified in U.S. EPA Test Method 201 or 201A [40 CFR Part 51, Appendix M]. Alternative U.S. EPA approved test methods may be used with prior approval from the Canton LAA.

d. Emission Limitation

The following limitation only applies if the BAT limitation under b)(1)a. above no longer applies. In that case only, and under the terms listed under b)(1)b. above (less than 10 tons per year BAT exemption), total particulate emissions (PE) shall not exceed 9.9 tons per year.

Applicable Compliance Method:

Compliance with the annual emission limit shall be demonstrated using maximum dust collector outlet airflow and the standard grain loading values contained in the permittee's permit application.

$$E \left(\frac{\text{tons PE}}{\text{yr}} \right) = \text{Grain Loading} \left(\frac{\text{grain PE}}{\text{scf}} \right) \times \text{Outlet Flowrate} \left(\frac{\text{scf}}{\text{min}} \right) \times \left(\frac{\text{ton}}{2,000 \text{ lb}} \right) \times \left(\frac{\text{lb}}{7,000 \text{ grains}} \right) \times \left(\frac{8,760 \text{ hr}}{\text{yr}} \right) \times \left(\frac{60 \text{ min}}{\text{hr}} \right)$$

$$3.38 \left(\frac{\text{tons}}{\text{yr}} \right) = 0.02 \left(\frac{\text{grain}}{\text{scf}} \right) \times 1,500 \left(\frac{\text{scf}}{\text{hr}} \right) \times \left(\frac{\text{ton}}{2,000 \text{ lb}} \right) \times \left(\frac{\text{lb}}{7,000 \text{ grains}} \right) \times \left(\frac{8,760 \text{ hr}}{\text{yr}} \right) \times \left(\frac{60 \text{ min}}{\text{hr}} \right) \times 3 \text{ dust collectors}$$

$$3.38 \left(\frac{\text{tons}}{\text{yr}} \right) < 9.9 \left(\frac{\text{tons}}{\text{yr}} \right)$$

If required, compliance with the applicable limits shall be demonstrated in accordance with the requirements specified in U.S. EPA Test Method 201 or 201A [40 CFR Part 51, Appendix M]. Alternative U.S. EPA approved test methods may be used with prior approval from the Canton LAA.

- (2) The permittee shall conduct, or have conducted, emission testing for this emissions unit in accordance with the following requirements:
- Opacity observations (herein referred to as "testing" or "emissions testing") shall be conducted within 60 days after achieving the maximum production rate but no later than 180 days of initial start-up [40 CFR 60.11(e)(1)].
 - The following test method shall be employed to demonstrate compliance with the allowable visible emission limit for particulates: Method 9 of 40 CFR Part 60, Appendix A.
 - The testing shall be conducted while the emissions unit is operating at or near its maximum capacity, unless otherwise specified or approved by the Canton LAA.

- d. Not later than 30 days prior to the proposed test date(s), the permittee shall submit an "Intent to Test" notification to the Canton LAA [40 CFR 60.7(a)(6)]. The "Intent to Test" notification shall describe in detail the proposed test methods and procedures, the emission unit operating parameters, the time(s) and date(s) of the testing, and the person(s) who will be conducting the testing. Failure to submit such notification for review and approval prior to the testing may result in the Canton LAA's refusal to accept the results of the emissions testing.
 - e. Personnel from the Canton LAA shall be permitted to witness the testing, 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.
 - f. A comprehensive written report on the results of the emissions testing shall be signed by the person or persons responsible for the testing and submitted to the Canton LAA within 30 days following completion of the testing. The permittee may request additional time for the submittal of the written report, where warranted, with prior approval from the Canton LAA.
- g) Miscellaneous Requirements
- (1) None.