



State of Ohio Environmental Protection Agency

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OCT 26 1998

PORTSMOUTH LOCAL AIR QUALITY MAILING ADDRESS:

STREET ADDRESS:

1800 WaterMark Drive  
Columbus, OH 43215-1099

TELE: (614) 644-3020 FAX: (614) 644-2329

P.O. Box 1049  
Columbus, OH 43216-1049

Re: Permit to Install  
Scioto County  
Application No: 07-454  
SYNTHETIC MINOR

CERTIFIED MAIL

October 21, 1998

CUNNINGHAM ASPHALT PAVING INC  
KARL CUNNINGHAM  
P O BOX 370  
WHEELERSBURG, OH 45694

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 with the Environmental Review Appeals Commission within thirty (30) days after notice of the Director's 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. It is also requested by the Director that a copy of the appeal be served upon the Environmental Enforcement Section of the Office of the Attorney General. 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 & Permit Section  
Division of Air Pollution Control

cc: US EPA  
PORTSMOUTH AIR POLLUTION GROUP



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## Permit to Install Terms and Conditions

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Application No. 07-454  
APS Premise No. 0773000034  
Permit Fee: \$1000.00

Name of Facility: CUNNINGHAM ASPHALT PAVING INC

Person to Contact: KARL CUNNINGHAM

Address: P O BOX 370  
WHEELERSBURG, OH 45694

Location of proposed source(s): 2197 HAYPORT ROAD  
WHEELERSBURG, OHIO

Description of proposed source(s):  
120 TPH ASPHALT BATCH PLANT; ADDITION OF USED OIL AS A FUEL  
IN THE ROTARY DRYER.

Date of Issuance: October 21, 1998

Effective Date: October 21, 1998

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

This permit is granted subject to the conditions attached hereto.

Ohio Environmental Protection Agency

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Director

**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 source(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 are inadequate or cannot meet applicable standards.

If the construction of the proposed source(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 Ohio Administrative Code (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)

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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 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.

#### 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.

#### PERMIT TO OPERATE APPLICATION

A Permit to Operate application must be submitted to the appropriate field office for each air contaminant source in this Permit to Install. In accordance with OAC Rule 3745-35-02, the application shall be filed no later than thirty days after commencement of operation.

#### SOURCE OPERATION 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 and regulations.

**AIR EMISSION SUMMARY**

The air contaminant sources listed below comprise the Permit to Install for CUNNINGHAM ASPHALT PAVING INC located in Scioto County. The sources 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>
P901	Rotary dryer, hot aggregate elevator, vibrating screens, and weigh hopper, 120 tons per hour asphalt batch plant  Modification for the addition of used oil as a fuel in the rotary dryer  Aggregate storage bins and cold aggregate elevator	Baghouse	3745-31-05 3745-17-07 3745-17-11	50 pounds/hour and 31.25 TPY PM/PM <sub>10</sub> 28.8 pounds/hour and 18 TPY SO <sub>2</sub> 20.4 pounds/hour and 12.75 TPY NO <sub>x</sub> 8.28 pounds/hour and 5.18 TPY CO 5.52 pounds/hour and 3.45 TPY OC 0.04 pound/hour and 0.02 TPY HCL 0.00009 pound/hour and 0.00006 TPY Lead  Less than or equal to 20 percent opacity, as a 6-minute average from the stack, except as provided by rule  No visible emissions of fugitive dust from enclosures for the hot aggregate elevator, vibrating screens and weigh hopper

**SUMMARY**

**TOTAL PERMIT TO INSTALL ALLOWABLE EMISSIONS**

<u>Pollutant</u>	<u>Tons/Year</u>
PM/PM <sub>10</sub>	31.25
SO <sub>2</sub>	18
NO <sub>x</sub>	12.75
CO	5.18
OC	3.45
HCL	0.02
Lead	0.00006

**CONSTRUCTION STATUS**

The Portsmouth Air Pollution Group shall be notified in writing as to (a) the construction starting date, (b) the construction completion date, and (c) the date the facilities were placed into operation for the following sources: P901.

**RECORD(S) RETENTION AND AVAILABILITY**

All records required by this Permit to Install shall be retained on file for a period of not less than three years unless otherwise indicated by Ohio Environmental Protection Agency. All records shall be made available to the Director, or any representative of the Director, for review during normal business hours.

**REPORTING REQUIREMENTS**

Unless otherwise specified, reports required by the Permit to Install need only be submitted to Portsmouth Air Pollution Group, 728 Second Street, Portsmouth, Ohio 45662.

**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.

**MAINTENANCE OF EQUIPMENT**

This source and its associated air pollution control system(s) shall be maintained regularly in accordance with good engineering practices and the recommendations of the respective manufacturers in order to minimize air contaminant emissions.

**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 Portsmouth Air Pollution Group, 728 Second Street, Portsmouth, Ohio 45662.

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.

**AIR POLLUTION NUISANCES PROHIBITED**

The air contaminant source(s) identified in this permit may not cause a public nuisance in violation of OAC Rule 3745-15-07.

**ADDITIONAL SPECIAL TERMS AND CONDITIONS**

**A. Operational Restrictions**

1. The maximum annual production rate for this emissions unit shall not exceed 150,000 tons, based upon a rolling, 12-month summation of the production rates.

To ensure enforceability during the first 12 calendar months of operation following the issuance of this permit, the permittee shall not exceed the production levels specified in the following table:

<u>Month</u>	<u>Maximum Allowable Cumulative Production</u>
1	12,500
1-2	25,000
1-3	37,500
1-4	50,000
1-5	62,500
1-6	75,000
1-7	87,500
1-8	100,000
1-9	112,500
1-10	125,000
1-11	137,500
1-12	150,000

After the first 12 calendar months of operation following the issuance of this permit, compliance with the annual production rate limitation shall be based upon a rolling, 12-month summation of the production rates.

2. The pressure drop across the baghouse shall be maintained within the range of 2.0 to 4.0 inches of water while the emissions unit is in operation.
3. All recycled, used oil burned in this emissions unit shall meet the following specifications:

<u>Contaminant/Property</u>	<u>Allowable Specifications</u>
arsenic	5 ppm, maximum
cadmium	2 ppm, maximum
chromium	10 ppm, maximum
lead	100 ppm, maximum
PCB's	50 ppm, maximum
total halogens	4000 ppm, maximum
mercury	1 ppm, maximum
flash point	100 degrees F, minimum
heat content	135,000 BTU/gallon, minimum

The permittee may not receive or burn any used oil which does not meet the specifications listed above. An exceedance would be considered a violation of OAC Rule 3745-31-02.

4. Used oil containing more than 1000 ppm total halogens is presumed to be a hazardous waste under the rebuttable presumption provided under 40 CFR Part 266.40 (c) and OAC rule 3745-58-50. Therefore, the permittee may receive and burn used oil exceeding 1000 ppm of total halogens (but less than 4000 ppm, maximum) only if the supplier ["marketer" in 40 CFR Part 266.43 (a)] has demonstrated to the Ohio EPA's Division of Solid and Hazardous Waste Management that the used oil does not contain any hazardous waste.

**B. Monitoring and Recordkeeping Requirements**

1. The permittee shall maintain monthly records of the following information:
  - a. the asphalt production rate for each month; and,
  - b. beginning after the first 12 calendar months of operation following the issuance of this permit, the rolling 12-month summation of the production rates.

Also, during the first 12 calendar months of operation following the issuance of this permit, the permittee shall record the cumulative production rate for each calendar month.

2. The permittee shall properly install, operate, and maintain equipment to monitor the pressure drop across the baghouse while the emissions unit is in operation. The monitoring equipment shall be installed, calibrated,

operated and maintained in accordance with the manufacturer's recommendations, instructions, and operating manual(s). The permittee shall record the pressure drop across the baghouse on daily basis.

3. The permittee shall receive a chemical analysis with each shipment of used oil from the supplier. The analysis shall identify the name and address of the supplier, the supplier's USEPA identification number, and the following information:
  - a. date of shipment or delivery;
  - b. quantity of used oil received;
  - c. the Btu value of the used oil;
  - d. the flash point of the used oil;
  - e. the arsenic content;
  - f. the cadmium content;
  - g. the chromium content;
  - h. the lead content;
  - i. the PCB content;
  - j. the total halogen content; and,
  - k. the mercury content.

Each analysis shall be kept in a readily accessible location for at least 5 years and shall be made available to the Director (the Portsmouth Air Pollution Group) upon verbal or written request. The Director or any authorized representative of the Director may require or may conduct periodic, detailed chemical analyses through an independent laboratory of any used oil shipment received by this facility, of any used oil stored at this facility, or of any used oil sampled at the dryer.

**C. Reporting Requirements**

1. The permittee shall submit quarterly deviation (excursion) reports that identify all exceedances of the rolling, 12-month production rate limitation and, for the first 12 calendar months of operation following the issuance of this permit, all exceedances of the maximum allowable cumulative production levels.

If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report which states no deviations occurred during that quarter. The reports

shall be submitted quarterly by January 31, April 30, July 31 and October 31 of each year and shall cover the previous calendar quarters.

2. The permittee shall submit pressure drop deviation (excursion) reports that identify that all periods of time during which the pressure drop across the baghouse did not comply with the allowable range specified above.

If no deviations occurred during a calendar quarter, the permittee shall submit a quarterly report which states no deviations occurred during that quarter. The reports shall be submitted quarterly by January 31, April 30, July 31 and October 31 of each year and shall cover the previous calendar quarters.